



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

TUAIRISC OIFIGIÚIL—*Neamhcheartaithe*

(OFFICIAL REPORT—*Unrevised*)

Wednesday, 24 February 2010.

| | |
|--|-----|
| Leaders' Questions | 271 |
| Ceisteanna—Questions | |
| Taoiseach | 278 |
| Requests to move Adjournment of Dáil under Standing Order 32 | 290 |
| Order of Business | 291 |
| European Council Meeting: Statements | 307 |
| Communications (Retention of Data Bill) 2009: | |
| Order for Report Stage | 318 |
| Report Stage | 318 |
| Message from Select Committee | 320 |
| Ceisteanna—Questions (<i>resumed</i>) | |
| Minister for Defence | |
| Priority Questions | 320 |
| Other Questions | 328 |
| Adjournment Debate Matters | 339 |
| Communications (Retention of Data Bill) 2009: | |
| Report Stage (<i>resumed</i>) | 340 |
| Fifth Stage | 355 |
| Road Traffic Bill 2009: Second Stage (<i>resumed</i>) | 356 |
| Private Members' Business | |
| Unemployment: Motion (<i>resumed</i>) | 373 |
| Message from Seanad | 398 |
| Adjournment Debate | |
| Mental Health Services | 399 |
| Building Regulations | 401 |
| Alternative Energy Projects | 403 |
| Special Educational Needs | 405 |
| Questions: Written Answers | 409 |

DÁIL ÉIREANN

Dé Céadaoin, 24 Feabhra 2010.
Wednesday, 24 February 2010.

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

Paidir.
Prayer.

Leaders' Questions.

Deputy Enda Kenny: The Taoiseach's Government has failed the country and the people. We now have a situation where 437,000 people are on the live register, with a further 70,000 projected to lose their jobs this year; credit is not flowing from banks to business; the public service is facing serious unrest because of the Government's economic policy of cutting wages and writing blank cheques for banks and people are being indiscriminately shot on our streets, all of which is causing serious anger and frustration. This is not good governance or leadership and it will not work. The people know it will not work.

The Taoiseach leads a Government that is riven by internal tension and divided by suspicion and a lack of trust. Yesterday, we witnessed the dignified resignation of former Minister of State, Deputy Trevor Sargent. Contrast that with the actions last week of the Taoiseach in forcing his party and the Green Party to defend the indefensible former Minister for Defence, Deputy Willie O'Dea and his attempting to justify the assertion that Deputy O'Dea had lived up to the standards he set for him. Deputy Sargent recognised he had made a serious error of judgment. In light of the spectacle witnessed in this Chamber last week, will the Taoiseach accept he made a serious error of judgment in terms of the manner in which he conducted the exit of Deputy O'Dea?

Deputies: Hear, hear.

The Taoiseach: I totally reject the usual negative narrative that comes from the Leader of the Opposition.

Deputy Pádraic McCormack: The Taoiseach is in a rejection mood.

The Taoiseach: He comes into this House on a continual basis and speaks as he does when in fact he does not have a policy framework that is credible. What we have——

Deputy Seymour Crawford: The Government has no policy at all.

Deputy Bernard J. Durkan: It has no policy on anything.

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

The Taoiseach: —are policies that are being implemented. They are gaining credibility financially and domestically and we intend to continue to pursue them so that growth can return to this economy and recovery can be effected.

On the other matter, the contrast I saw yesterday was the dignity of Deputy Sargent's statement as compared with what was subsequently—

Deputy Pádraic McCormack: Compared to the Taoiseach.

The Taoiseach: —suggested outside this House by Deputy Kenny's party and others—

Deputy Paul Connaughton: Compared to what the Taoiseach did the week before.

The Taoiseach: —in suggesting involvement by this party in these matters. That is the contrast I saw.

Deputy Bernard J. Durkan: Fianna Fáil would never stoop so low.

The Taoiseach: It was a pretty pathetic and hamfisted attempt, I must say.

A Deputy: Coincidental, was it?

Deputy Noel Dempsey: Scurrilous.

The Taoiseach: Just as there was an acknowledgement by Deputy Sargent regarding the particular correspondence to which he adverted, the resignation statement of Deputy O'Dea continues to defend his position on the basis, as clearly stated, that he holds the position that there was no intention on his part to mislead in any way. He acknowledges also that his continued presence in Government would have had the regrettable conclusion of destabilising the Government and, therefore, resigned.

On the position in regard to what happened yesterday, Deputy Kenny has a lot to answer for in terms of how his people behaved.

(Interruptions).

Deputy Bernard J. Durkan: The Government has a lot to answer for in terms of where this country is now and the Taoiseach knows that.

An Ceann Comhairle: I call Deputy Kenny.

Deputy Paul Kehoe: Even the Government back benchers are laughing at the Taoiseach.

An Ceann Comhairle: Deputy Kehoe please allow Deputy Kenny to respond, without interruption, please.

Deputy Enda Kenny: Look in the mirror.

Deputy Olivia Mitchell: It is all our fault.

(Interruptions).

An Ceann Comhairle: Deputy Kenny without interruption, please.

Deputy Bernard J. Durkan: The back benchers are laughing nervously.

Deputy Enda Kenny: That is the greatest load of nonsense I have heard from the Taoiseach in a long time.

Deputies: Hear, hear.

Deputy Enda Kenny: The question I asked of the Taoiseach is whether he accepts he made a serious error of judgment in attempting to defend the indefensible in the case of former Minister for Defence, Deputy O'Dea?

Deputies: Hear, hear.

Deputy Enda Kenny: The Taoiseach forced his Government, members of the Fianna Fáil back benches and the Green Party, to come in here and publicly defend former Minister for Defence, Deputy O'Dea who, the Taoiseach stated, had lived up to the standards he set for him. Yesterday, we witnessed a deep contrast in the dignified resignation of former Minister of State, Deputy Sargent. I have no interest in the internal machinations of the Fianna Fáil Party, be they valid or otherwise.

Deputy Noel Dempsey: The Deputy is too busy with his own.

Deputy Enda Kenny: The Taoiseach stated that Fine Gael has put forward no policy framework. I would like to challenge him on two issues. The Fine Gael Party has put forward a radical proposal which I know the Green Party is interested in, namely, providing 100,000—

Deputy Thomas Byrne: The Labour Party is against it.

Deputy Enda Kenny: —jobs right across the spectrum of renewables energy, broadband, water and so on. We have costed this detailed plan and put it forward. The Taoiseach stated last July that he would respond to it but never did.

Deputy Paul Connaughton: Hear, hear.

Deputy Enda Kenny: That is a serious policy that could result in the creation of 100,000 jobs for people right across the country.

A Deputy: Hear, hear.

Deputy Enda Kenny: Fianna Fáil has forced the Green Party to adopt its economic strategy of cutting wages and writing blank cheques for banks. I understand that the Government proposes to invest up to €6 billion of taxpayers' money in the dead bank that is Anglo Irish Bank to pay off bond speculators and investors. There is an alternative. The Government can put that money into a stimulus package or it can break up Anglo Irish Bank into a good bank-bad bank, a concept put forward by Fine Gael more than 12 months ago.

Deputy Noel Dempsey: Pay the €64 million in deposits.

Deputy Enda Kenny: This would save the taxpayer serious money and would allow credit to flow to businesses—

Deputy Noel Dempsey: Ask the taxpayer to put in the €64 million.

Deputy Enda Kenny: —in County Meath and elsewhere where jobs are being lost even as we speak.

Deputy Seymour Crawford: What about roads?

Deputy Enda Kenny: The Fine Gael Party has put forward a serious policy framework for job creation and security and new careers. The Taoiseach will not recognise this because he is locked into the tribal strait jacket of Fianna Fáil.

Deputies: Hear, hear.

Deputy Noel Dempsey: From where did Deputy Kenny get that line?

Deputy Enda Kenny: Is the Government prepared to break up Anglo Irish Bank, save the taxpayer money and provide a bad bank-good bank, the concept put forward by Fine Gael more than 12 months ago?

Deputy Bernard J. Durkan: Come out with your hands up.

Deputy P. J. Sheehan: It is never too late to clear the plate.

An Ceann Comhairle: I call the Taoiseach.

The Taoiseach: The extraordinary basis for Fine Gael's economic policy is that its wishes, primarily, to raise bonds to fund all of these jobs of which Deputy Kenny speaks while at the same time default on bond holders. That is its idea of how one raises bonds. Fine Gael has as much understanding of——

Deputy Denis Naughten: Answer the question.

(Interruptions).

An Ceann Comhairle: Deputy Creed, please allow the Taoiseach to continue without interruption.

The Taoiseach: On the whole question of the establishment of NAMA and it becoming operational, the purpose of this is to ensure we have access to funding and that we can reduce the cost of funding——

Deputy Paul Connaughton: When?

The Taoiseach: ——to banks so that they can provide funds to the wider economy.

Deputy Bernard J. Durkan: They are not doing it.

(Interruptions).

An Ceann Comhairle: The Taoiseach, without interruption please.

The Taoiseach: The Fine Gael Party has not supported——

Deputy Bernard J. Durkan: Never mind Fine Gael, talk about Fianna Fáil.

The Taoiseach: ——one tough decision taken by this Government in the past 12 months.

Deputy Dermot Ahern: They are opposed to everything.

An Ceann Comhairle: I call Deputy Gilmore.

(Interruptions).

An Ceann Comhairle: Deputy Gilmore without interruption please.

Deputy Paul Connaughton: The Government got its answer.

Deputy Seymour Crawford: What about the Minister for Transport, Deputy Dempsey, and the roads?

Deputy Eamon Gilmore: There are 436,000 people out of work. Businesses are trying to keep going this morning in circumstances where they do not have credit from financial institutions. Families throughout the country are frightened about the future, whether they can pay the mortgage, what they can do about their levels of personal debt and whether they will have work by the end of the year. Young people are worried whether they will get a job when they graduate. That is on top of the general concern in the population about what we will end up having to pay and for how long we will have to pay for the banking crisis, NAMA and all those things.

The one thing that is needed in those circumstances is a functioning Government in which the people can have confidence. By any measure — there have now been several measures — the Government led by the Taoiseach does not enjoy the confidence of the public. Some of that is understandable. Fianna Fáil has been in office for 13 years. There is a fatigue and staleness that comes with every government in office for that length of time. It is somewhat punch drunk from the economic events of the past year and a half. In dealing with the economic crisis it is hopelessly conflicted between on the one hand, having to take the decisions necessary to deal with it and on the other hand, covering its tracks for the role the Government played in causing it in the first place. That is particularly evident in the Taoiseach's own case where he has an understandable concern to cover the tracks of his term as Minister for Finance.

There is increasing evidence of incompetence in the Government. We saw it last week with the Tánaiste's mishandling of the aeronautics jobs at Dublin Airport. The events of the past week have shown that the Government is seriously divided. It has struck the iceberg. It is now only a matter of time. We can have the predictable partisan arguments across the Chamber, but there is a service the Taoiseach needs to do for the country, which is to wind up the Government as quickly as possible and give the people an opportunity of making a decision about who should govern the country in these difficult times. If they chose to re-elect the present Government, so be it, but they should at least be given the opportunity.

We are in very difficult, strange and worrying times for people. It is not fair or responsible for the Taoiseach with a battered, broken, tired and now divided Government to continue to hang on to office in circumstances and times when the people need a competent functioning government in which they can have confidence and one that has a mandate — something the Government no longer has.

The Taoiseach: Again we have Deputy Gilmore getting up this morning to give his view of the world. It is clear from the past six months' debate on the economy that there is not a coherent alternative to the capacity of the Government.

Deputy Bernard J. Durkan: Where did we hear that before?

Deputy Michael Creed: The Taoiseach would not know coherence if it slapped him in the face.

The Taoiseach: What is clear is that the Government is demonstrating its preparedness to take the decisions that are necessary and that there are no circumstances in which support will be provided from the opposite side of the House, but that will not deter us.

Deputy Bernard J. Durkan: Wrong decision.

The Taoiseach: Far from being tired, let me assure the Deputy that we are ready to fulfil our mandate for the remainder of this term, bring recovery and growth back to the economy. The Deputy can talk down the economy and the Government all he likes. We are going to do that with or without his help.

Deputies: Hear, hear.

Deputy Bernard J. Durkan: Sad.

An Ceann Comhairle: I call Deputy Gilmore.

Deputy Eamon Gilmore: Throughout history every ruler, where power has gone to his head, believes that nobody else can rule or govern. That is what we are now getting——

(Interruptions).

Deputy Eamon Gilmore: ——from the Taoiseach and from Fianna Fáil.

Deputy Paul Kehoe: Deputy Dooley was not that smart on Vincent Browne's television programme last night.

Deputy Eamon Gilmore: Let me tell the Taoiseach where he is wrong. The Opposition has supported the Government. We supported it on Europe. We supported it on the necessity to make the fiscal adjustment of €4 billion.

Deputy Dermot Ahern: It did not.

Deputy Eamon Gilmore: Government Deputies are very good at the political debate, but let us stick with the facts. We supported it on the fiscal adjustment, on the necessity to reform public services and in respect of this country's international reputation in every meeting and discussion we have had — I am sure the same is true of Deputy Kenny — with the European Central Bank, the OECD and the European Commission, we have talked up our economy.

Deputy Thomas Byrne: The Labour Party opposed everything.

Deputy Eamon Gilmore: We have made it clear that in circumstances where there were a change of Government, we would put the national interest first. The Taoiseach has been blessed with a responsible Opposition and yet——

(Interruptions).

Deputy Eamon Gilmore: ——where we have opposed the Government we have been absolutely right. When this party opposed the blanket guarantee for the banks we were right.

The Taoiseach: The Labour Party was never right.

Deputy Eamon Gilmore: If that guarantee had not applied to Anglo Irish Bank, as it should not have, we would not now be stuck with the enormous bill of thousands of millions of euro of taxpayers' money——

Deputy Timmy Dooley: The Deputy should tell us where we would be.

Deputy Eamon Gilmore: ——that is going to have to go into that.

(Interruptions).

An Ceann Comhairle: Deputies, please.

Deputy Eamon Gilmore: When we told the Government almost a year ago that the most prudent way of dealing with the banking crisis was the temporary nationalisation of the banks, the Taoiseach rubbished it. The Government has ended up with the situation where it will have nationalisation anyway by the back door in a dragged out way that is most expensive for the taxpayer. The Taoiseach's problem is that he has not been listening to the proposals coming from the Opposition parties and has not been acting accordingly. The Taoiseach has been taking decisions that are motivated by his desire to cover the tracks for his role and his party's role in the mismanagement of the economy in the past 12 years in creating the property bubble and the hand-in-glove approach it had down the years with bankers and developers.

Deputies: Hear, hear.

The Taoiseach: I reject all that again.

Deputy Bernard J. Durkan: Why would he not?

The Taoiseach: One of the problems of being in opposition too long is that Opposition parties believe that they alone possess the right to define what is the national interest. I know what is the national interest in discharging my responsibilities.

Deputy Paul Kehoe: Self-service.

Deputy Brian Hayes: The Taoiseach is another victim.

The Taoiseach: I reject all the assertions the Deputy has been making about my position and my disposition in dealing with the issues that faced the country since I took office.

Deputy Brian Hayes: The Taoiseach created them.

The Taoiseach: My role, just as much as the Deputy's role would be if he had the honour, is to seek to defend the national interest of the country. The Deputy will not define it for me as if he had a higher motive than I have.

Deputy Brian Hayes: Is the Taoiseach claiming he did not cause the problem?

The Taoiseach: That motive has meant that the policies we have brought forward have sought to stabilise the crisis situation we were facing, have obtained international support for so doing and are determined to continue with a consistent approach that will bring recovery. There is considerable revisionism going on——

Deputy Joan Burton: No there is not.

The Taoiseach: ——as to what his party's position was during the good times when deficits would have been far higher coming into this situation. Both in terms of its policy framework and what it proposed coming into elections, let the record show where the economy would have been——

Deputy Bernard J. Durkan: We know about the Taoiseach's position.

An Ceann Comhairle: Deputy Durkan, please.

The Taoiseach: —had we followed its proposals, when its Members were saying to me when I was Minister for Finance that I was like Scrooge and was not spending enough money on health and education.

(Interruptions).

The Taoiseach: Now we have the revisionists seeking to suggest they were the responsible ones if only they had been around. The fact is that during those times we created 700,000 jobs. During those times we had growth in the economy.

Deputy Denis Naughten: The Government has lost half of them now.

The Taoiseach: We now need to ensure we effect recovery and rework the economy again. That is what we intend to do. I will not accept any suggestion from the Deputy, however populist it might appear.

Deputy Michael Creed: Arrogance.

Deputy Brian Hayes: The Taoiseach just does not get it.

The Taoiseach: The idea that the financial viability of the country would have been best served by not proceeding with the bank guarantee on 29 and 30 September 2008 is so far off the mark that it is unbelievable. It is true that everyone in the Central Bank of Ireland and all advice to the Government at that time related to the systemic nature of those institutions.

Deputy Eamon Gilmore: Is that true?

Deputy Joan Burton: It is not true.

The Taoiseach: That is the situation. There is no suggestion from the Deputy or anybody else that would suggest that we could get easier access to funds by not having that bank guarantee in place. In fact the bank guarantee has provided us with the means by which banks have been able to continue to operate and has reduced the cost of access to funding. In addition, the banks are paying for the guarantee. Despite all Deputy Gilmore's efforts to suggest that the Labour Party has an alternative credible model, it does not because the basic facts he is proposing would have meant meltdown within the Irish financial system, and that is indisputable.

Deputy Paul Connaughton: No, that is not correct.

(Interruptions).

An Ceann Comhairle: That concludes Leaders' Questions. We now move on to questions to An Taoiseach.

Ceisteanna — Questions.

State Visits.

1. **Deputy Enda Kenny** asked the Taoiseach the foreign visits he plans to undertake in 2010; and if he will make a statement on the matter. [48399/09]

2. **Deputy Enda Kenny** asked the Taoiseach when he will next meet with the President of the European Commission; and if he will make a statement on the matter. [48400/09]

3. **Deputy Enda Kenny** asked the Taoiseach if he has received an agenda for the March 2010 meeting of the European Council; and if he will make a statement on the matter. [48416/09]

4. **Deputy Eamon Gilmore** asked the Taoiseach his proposals for official trips abroad during the first six months of 2010; and if he will make a statement on the matter. [48423/09]

5. **Deputy Eamon Gilmore** asked the Taoiseach if he has received an agenda for the informal meeting of EU heads of state to be held in Brussels on 11 February 2010; and if he will make a statement on the matter. [1275/10]

6. **Deputy Eamon Gilmore** asked the Taoiseach the plans he has for meetings with other EU leaders over the coming months; and if he will make a statement on the matter. [1276/10]

7. **Deputy Caoimhghín Ó Caoláin** asked the Taoiseach his priorities for the March 2010 meeting of the European Council; and if he will make a statement on the matter. [3459/10]

8. **Deputy Caoimhghín Ó Caoláin** asked the Taoiseach the official visits abroad he proposes for the year 2010; and if he will make a statement on the matter. [3460/10]

9. **Deputy Eamon Gilmore** asked the Taoiseach if he will make a statement on his participation in the informal European Council meeting on 11 February 2010. [7857/10]

10. **Deputy Enda Kenny** asked the Taoiseach if he will report on his attendance at the Special EU Summit on 11 February 2010; and if he will make a statement on the matter. [8793/10]

The Taoiseach: I propose to answer Questions Nos. 1 to 10, inclusive, together.

I participated in the informal meeting of the European Council on Thursday 11 February. As I will be making a statement to the House later today, I will give a summary account of the proceedings now.

As the House is aware, the Council agreed a statement in relation to the challenges facing the Greek Government in order to meet the targets set in the stability programme for and beyond 2010. That statement, I believe, contained two core messages. First, there is immense solidarity among the member states. Second, member states recognise that they have commitments and responsibilities which they must fulfil, particularly in regard to the stability and growth pact, and there are various agreed mechanisms to support member states in doing that.

The other main topic of discussion was economic policy. It is intended to agree a successor to the Lisbon strategy for growth and jobs at the June Council. The successor strategy will cover the period to 2020. The matter will be considered again in depth at the Spring European Council on 25-26 March. The Commission has suggested that the core elements of a new strategy should be based on knowledge and innovation, an inclusive high employment society, and greener growth. There was broad support for these elements, which resonate very well with our national efforts and priorities.

Discussion on the successor to the Lisbon strategy will continue and we expect to see a significant contribution from the new Barroso Commission in early March. We briefly considered the situation in Haiti following the tragic earthquake there, and agreed on the need for work to proceed in all relevant fora to ensure rapid progress on relief and reconstruction. In view of time constraints, the Council did not get into a detailed discussion of climate change and the Copenhagen conference as originally foreseen. That discussion will now take place at the March meeting of the European Council.

I received a draft annotated agenda for the March European Council last week. The main items on the agenda include the new European strategy for growth and jobs and the follow up to the Copenhagen Conference on Climate Change. With regard to my travel plans for 2010, I

[The Taoiseach.]

expect to be in the United States for St Patrick's Day. I intend to go to the British-Irish Council Summit in Guernsey in June. I will also, of course, attend the meetings of the European Council during 2010. I hope to attend the EU Latin America and Caribbean Summit which will be held in Madrid on 18 May, and the Asia -Europe Summit on 4-5 October in Brussels.

With regard to future bilateral meetings with EU leaders or the President of the European Commission, I have no specific meetings planned in the short term but I saw President Barroso and my European Council counterparts in Brussels on 11 February and will see them again at the European Council in March.

I hope to welcome Finnish Prime Minister Matti Vanhanen to Dublin in the autumn.

Deputy Enda Kenny: There is a report in the *Irish independent* today in respect of the passport problem which was responded to last week by EU Foreign Ministers. The report was to the effect that an Israeli spy based in Dublin supplied the information for the forged Irish passports used by the team of assassins in the United Arab Emirates. It appears as if the media information is ahead of that being supplied by the Government. For instance, the reports yesterday said that seven passports were used when five were mentioned originally by the Department of Foreign Affairs.

Does the Taoiseach have any evidence of the validity of this report in today's paper to the effect that an Israeli spy supplied the information in respect of these passports?

An Ceann Comhairle: The Deputy is drifting somewhat from the subject matter of the question. While I am not diminishing the importance of the point he is making, it is——

Deputy Enda Kenny: These are about visits the Taoiseach is undertaking. He is fully briefed on everything else——

The Taoiseach: Visits by who? Is the Deputy talking about visits by me or the spy?

Deputy Enda Kenny: ——as regards the economic policies of all parties.

An Ceann Comhairle: In fairness, for the Deputy to get a detailed reply to that, he would need to submit a parliamentary question.

Deputy Enda Kenny: Has the Taoiseach been invited to the White House this year? Given that the American Government has very strong associations with the Israeli Government, does he intend to raise with President Obama the fact that Irish passports were used by an assassination squad? Is he concerned about this and will he raise it during his visit to the United States, in the event? Is that in order, a Cheann Comhairle?

Deputy Phil Hogan: Hear, hear.

The Taoiseach: It would be very inappropriate to raise with the United States President a bilateral matter between Ireland and another country in which he has no involvement whatever.

Deputy Enda Kenny: Is the Taoiseach saying he has no concern about that even though the US Government has had very close connections over many years with the Israeli Government? Given the connections between the Irish Government and the US Government over many years, the use of forged Irish passports by an assassination squad in this case should be a matter of concern to the Taoiseach.

An Ceann Comhairle: The Deputy may submit this matter as a parliamentary question to the Minister for Foreign Affairs.

Deputy Enda Kenny: It should be a matter of concern for the Taoiseach and for the American President as well as for the Israeli Government.

The Taoiseach: It is a matter of concern for the Government and has been taken up by the Minister for Foreign Affairs with the Israeli authorities. If I have a problem in regard to America, do I go to Israel? The situation is very clear——

Deputy Enda Kenny: The Taoiseach can give a smart answer if he wants.

The Taoiseach: I am not giving a smart answer, but rather a very frank answer. I do not see any connection, whatever. I do not believe it would be appropriate. I have many things to discuss with President Obama in regard to US-Irish relations but I do not see that as one of them. That is a matter which must be dealt with by the government concerned, through which there has been an involvement or participation, and the Minister for Foreign Affairs is dealing with this, bilaterally. That is my simple answer.

Deputy Enda Kenny: With respect, the Taoiseach should say to the American President that he is very concerned, as the leader of our country, that the international reputation of Irish passports, which were used by this assassination squad, has been diminished as a result of these forgeries.

An Ceann Comhairle: Will the Deputy not pursue this matter via the Minister for Foreign Affairs?

Deputy Enda Kenny: I want him to reassure the American President that the Irish Government will do everything in its power in the bilateral discussions and arrangements with the Israeli Government, to get to the bottom of this. I started by asking the Taoiseach whether, in the context of giving that information, he will follow up on the report that an Israeli spy based in Dublin provided this information. It is important for the Taoiseach to be able to stand over the integrity and quality of Irish passports, and he should take every opportunity to keep Ireland at the top in terms of integrity. I am sure that the American President would be interested to hear from the Irish Prime Minister that we are doing everything with the Israeli Government to ensure that we get to the bottom of this.

Deputy Phil Hogan: Hear, hear.

Deputy Enda Kenny: That is a valid point.

An Ceann Comhairle: It would be much better for the House if the Deputy submits a parliamentary question to the Minister for Foreign Affairs.

The Taoiseach: I am making the point to the Deputy that I do not see the relevance of this to the questions that are put down here. If Deputy Kenny wants to ask a question about this, he should put it down.

As regards the matter he is raising, every citizen is concerned when the integrity of the Irish passport is compromised and it is a question of taking the matter up with the authorities concerned. The St. Patrick's Day visit to the White House will allow us the opportunity to discuss with President Obama many issues of mutual and bilateral concern, and indeed issues of economic concern. That is the priority, I would have thought, when one gets a rare opportunity to sit down with a person of that eminence, namely, the President of the United States,

[The Taoiseach.]

to discuss issues that Ireland has with the United States. The issues we have with other states we shall deal with, as appropriate.

An Ceann Comhairle: I shall allow Deputy Kenny a brief supplementary question. He has had a good innings.

Deputy Enda Kenny: I am aware the Taoiseach is interested in matters of direct concern to us in the United States, many of which are related to the undocumented Irish there. I have received a couple of hundred e-mails within the last fortnight from people who are seriously concerned about the prospect of no immigration legislation being introduced in the United States, and I know this is a complex problem. One young man, whose court case was heard yesterday regarding his crossing illegally from Canada, has now been arrested and I am not sure what the outcome will be for him. Will the Taoiseach be raising the question of comprehensive immigration legislation, will he be meeting with the groups associated directly with the undocumented Irish and will he be making his efforts known in this matter to the United States Government when he goes there?

The Taoiseach: I have spoken recently to the Irish Ambassador to the United States about these matters. He mentioned them to me and what is the congressional view on them. Unfortunately, it is not an issue at the top of the domestic agenda in the United States, for obvious reasons. However, it is one in which I know the President has a personal interest.

11 o'clock

We will seek to obtain from him what the present position is and what he sees as the realistic political prospects for any advance on the issue, but the Deputy will be aware that this matter will not be dealt with in terms of any particular diaspora. It is a general immigration issue and a very difficult domestic political issue, but one into which we must inquire about the prospects of any further progress this year. We have to respect that, work with the authorities and recognise what the realistic prospects are in terms of where it fits into their own agenda.

Deputy Eamon Gilmore: With regard to the issue of the Irish passports, I understand it has been established that nine passports were misused——

An Ceann Comhairle: I wish to move on. That really should be the subject of a parliamentary question to the Minister for Foreign Affairs.

Deputy Eamon Gilmore: I wish to ask the Taoiseach a question arising from his reply to Deputy Kenny and I am allowed to do so. In his reply to Deputy Kenny, the Taoiseach stated this was a bilateral matter between Ireland and Israel. I wish to pursue the matter a little further. I realise the Minister for Foreign Affairs has raised this with the Israeli authorities and the Israeli Foreign Minister. However, I heard the Israeli Foreign Minister state that he had no knowledge and could not give any information about whether these passports were used or misused. Does the Government accept that explanation, or does the Taoiseach believe it is necessary to pursue this issue with the Israeli authorities with more vigour? The use of the passports and the way in which they were used is a matter of very serious concern for the people whose passport numbers were used, in terms the degree to which their freedom of movement is compromised, by the degree to which their personal safety may be put at risk and by the damage that has been done generally. The Irish passport always had a great reputation. It was one of the best passports in the world and it is very damaging to find that they have been used in this way now. Will the Government pursue this with more vigour with the Israeli authorities or is that it? Does the Taoiseach accept what the Israeli Foreign Minister has said?

The Taoiseach: The Minister has noted what the Israeli Foreign Minister has had to say regarding the absence of knowledge by the authorities about this matter. He has also taken up the matter with his EU colleagues and it will be pursued. As has been said, we have no wish to see the integrity of our passports being compromised in any way. We recognise the impact this could have for the security of our citizens travelling abroad and of any suggestion that there could have been any mistaken understanding that we would be party to any such use of our passports for such nefarious purposes. I understand these passports were pre-2005, before the €25 million investment in biometric technology which greatly enhanced the security of our passport system. The House can stand united in the fact that we all accept this is an issue with serious implications, it is being pursued and will continue to be pursued to the greatest extent possible.

Deputy Eamon Gilmore: I have no wish to prolong the issue. However I strongly believe this issue must be pursued with more vigour by the Government. I have seen the statement issued by the EU Foreign Ministers. It makes no reference to Israel, good, bad or indifferent. A more vigorous approach to this is necessary given the seriousness of the issue.

I refer to another matter to which these questions relate, that is, the meeting of the European Commission. This is a new Commission and I take this opportunity of wishing well the Irish Commissioner, Máire Geoghegan-Quinn in her five year term of office that she is now starting. Will the Taoiseach indicate if her appointment was conditional on the employment of a member of the Green Party as a member of her *cabinet*? Did the leader of the Green Party secure an understanding from him that the former Senator de Búrca would be appointed to Commissioner Geoghegan-Quinn's *cabinet*? Did the Taoiseach offer the post of *chef de cabinet* of the new Irish member of the Court of Auditors to the former Senator de Búrca by way of compensation, as the former Senator de Búrca claims?

Deputy Pádraic McCormack: A very interesting question.

The Taoiseach: No. No one has been more vigorous than the Minister, Deputy Martin, in respect of pursuing the matters that have affected the countries in the passport issue and I do not accept that there has been any absence of vigour on his part.

I refer to the appointment of the Commissioner. The nomination for Commissioner, Máire Geoghegan Quinn, was decided by Government. It was intimated to me by my colleague, the Minister, Deputy Gormley, that the former Senator de Búrca was interested in trying to obtain a position. This was something I communicated but there was no question of the independence of the Commission being compromised in any way.

Deputy Pádraic McCormack: She was fobbed off.

The Taoiseach: I made the point that Máire Geoghegan-Quinn had to go before a parliament and be accepted. She was simply our nominee. I refer to the issue of the possibility of the former Senator de Búrca pursuing a career or seeking to establish if there were prospects in that area. I sought to assist in whatever way I could after it became clear that it would not be possible for her to become a member of the *cabinet* of Máire Geoghegan-Quinn. I asked if there was an interest in taking up a position that would become vacant in the Court of Auditors and to establish if I could inquire into that. There was an *attaché* position to be filled. I emphasise that I was supportive and sought to be helpful in every way I could but at the end of the day I do not determine the membership of the *cabinets* of Commissioners.

Deputy Pádraic McCormack: The Taoiseach made her a promise he could not fulfil.

Deputy Eamon Gilmore: I thank the Taoiseach for the reply. Do I understand correctly that the Taoiseach spoke to Máire Geoghegan-Quinn requesting that she would appoint the former Senator de Búrca to her *cabinet* but that it was not a condition of Máire Geoghegan-Quinn's nomination to the Commission that she would employ the former Senator de Búrca in her *cabinet*? I refer to the appointment of the Irish member of the Court of Auditors. Was that appointment made conditional on the former Senator de Búrca being appointed *chef de cabinet*, *attaché* or whatever in the *cabinet* when appointed?

The Taoiseach: No, it does not arise because while the position was mentioned as a possibility for consideration were it to be of interest, no interest was indicated. As I have stated already, the question of Máire Geoghegan-Quinn's *cabinet* is a matter for her. I was supportive of any Member who wished to be considered or who indicated an interest but I emphasise the point that Máire Geoghegan-Quinn would only be in a position to consider any membership of her *cabinet* after approval by the European Parliament. That important stage must be conducted in the same way in which Máire Geoghegan-Quinn's approval by the Parliament was established. She was not in a position to make any decisions about her *cabinet* until she was approved by the Parliament.

Deputy Eamon Gilmore: I seek some clarity on this matter. Did the Taoiseach speak to Máire Geoghegan-Quinn about the possibility of her appointing the former Senator de Búrca to her *cabinet* before the Commission was approved by the European Parliament? I understood from the former Senator de Búrca's radio interview last Sunday that she was offered a senior position in the office or *cabinet* of the Irish member of the Court of Auditors.

Deputy Pádraic McCormack: It was a consolation prize.

Deputy Eamon Gilmore: Did the Taoiseach talk to the Irish nominee for the Court of Auditors and establish and communicate to the Minister, Deputy Gormley, that such a post was available for the former Senator de Búrca?

The Taoiseach: Commissioner Máire Geoghegan-Quinn made the point very clearly that there was no condition precedent in regard to her appointment to the Commission subject to the approval of the Parliament. I indicated former Senator de Búrca's interest in being considered for a position in Commissioner Geoghegan-Quinn's *cabinet*.

Deputy Eamon Gilmore: Prior to her approval by the Parliament.

The Taoiseach: Yes, that interest was conveyed. As I said, the determination of the composition of Commissioners' *cabinets* is a matter for the Commissioners themselves. I cannot determine it.

On the question on the European Court of Auditors, there was no question of having to speak to the nominee because there was no nominee in prospect at the time. We had not decided on a nominee. I was simply making the point that I was prepared to examine whether there were any prospects of a post that would be appropriate and suitable in the event that former Senator de Búrca would have an interest in it.

Deputy Pádraic McCormack: A consolation prize.

The Taoiseach: It was indicated to me that was not the case. I had no direct contact with former Senator de Búrca on these matters.

Deputy Eamon Gilmore: As the Taoiseach said, Commissioner Geoghegan-Quinn would not have been in a position to make any appointments to her *cabinet* until the Commission had been approved by the Parliament. The Taoiseach also confirmed that he spoke to Commissioner Geoghegan-Quinn about the possibility of employing former Senator de Búrca prior to the approval of the Commission by the Parliament. What was Commissioner Geoghegan-Quinn's response when the Taoiseach asked her to employ former Senator de Búrca? Did she reject the proposition outright or did she tell him she could not talk to him at all about appointments until the Commission had been approved?

The Taoiseach: I indicated that interest was expressed by former Senator de Búrca. The nominee to the Commission was prepared to consider it and determine whether it would be possible to accommodate her, but not on the basis of any condition precedent having been set on her part. She had yet to go to the Parliament and her independence had to be accepted. It was accepted by everybody in respect of that process. The issue of the composition of the *cabinet* could only arise upon her being approved by the Parliament. Unfortunately, as events turned out, it was not possible to have the outcome hoped for by the individual mentioned by Deputy Gilmore. I sought to determine whether there were other means by which I could assist but this did not prove successful.

Deputy Eamon Gilmore: When did Commissioner Geoghegan-Quinn tell the Taoiseach she would not be employing former Senator de Búrca?

The Taoiseach: That would have arisen on a date about which I cannot be clear after her acceptance by the Parliament for the position of Commissioner.

Deputy Caoimhghín Ó Caoláin: What position has the Government taken on the EU attitude towards the economic crisis in Greece? The EU has been encouraging the Greek authorities to adopt austerity measures similar to those employed in Ireland, targeting in particular low-income earners and those dependent on social welfare. Is the Taoiseach aware that recent tax returns from Greece indicate that only a handful of people in that country on an annual income in excess of €1 million are recorded as contributing to the overall tax take? Is he aware that the overwhelming majority of shipping magnates and other wealthy nationals from Greece are registered as non-domiciled residents in Britain? As a consequence, they are paying no tax whatsoever in any jurisdiction across the entire European Union. Would it not be better for the European Union, rather than encouraging the adoption of austere measures targeting the least well off in Greece, Ireland and other countries across the European Union, to take the appropriate measures to stamp out tax avoidance? The measures by which people avoid paying their fair share of tax must be considered.

Will the Taoiseach undertake to raise this matter at an appropriate level in the European Council so the European Union will make a real and appreciated contribution to tackling current difficulties, such that those who can pay will pay their fair share? This is a very important matter.

In the context of the questions tabled for reply this morning, will the Taoiseach take the opportunity at the next European Council meeting to raise the criminal activity of the Israeli regime? I refer not only to the recent illegal employment of Irish passports and related matters but also to the regime's illegal imposition of an apartheid regime in Gaza and West Bank and to the blockade affecting the transport to Gaza of critical supplies of medicine, food and other products needed and wanted by the people in their daily lives. Will the Taoiseach take the opportunity at the next European Council meeting to call for the Israeli regime's conduct

[Deputy Caoimhghín Ó Caoláin.]

towards the Palestinian people in the areas to which I have referred to be addressed seriously, thus reflecting the views of the overwhelming majority of Members of this House?

The Taoiseach: On the question of the Greek economy, the two major points emerging from the European Council, including ECOFIN, focus on showing solidarity and recognising that every member state in the eurozone has responsibilities to discharge under the Stability and Growth Pact. The monitoring and work that will take place on the part of the Greek authorities, European Commission, European Central Bank and IMF need to be allowed take their course. There will be a progress report in March. A very significant commitment is being made by the Greek Government to reduce its deficit by 4% during the course of 2010. This will involve a very significant change in policy.

Prime Minister Papandreou, whom I know for many years since he was a Minister for Foreign Affairs in a former Greek Government, is seeking to ensure the intentions of the Greek Government are understood and accepted. He is working very hard internationally and domestically to achieve this. He, as a committed European, is determined to work with European colleagues to determine how he can discharge the responsibilities of his state in the present circumstances in a way that will allow for the provision of assistance, where possible, by fellow member states in the eurozone and European Union generally. There is an ongoing process of surveillance, monitoring and statistical evaluation and a report will be produced thereon in March. It is best to allow the process the time and space to develop.

I have addressed the issue of the passports referred to by Deputy Ó Caoláin. I am glad the Deputy supports my view that people should not be using false passports in these circumstances. It is very important that the integrity of our passport system be upheld by all at all times.

Government policy on the Middle East, including, Israel, the West Bank and Gaza Strip, has been consistent under all Irish Administrations. It is a question of the right to self-determination by the Palestinian people in a viable Palestinian state and of recognising the similar right of Israel to live in peace and security. We should continue with this policy, which is balanced and seeks to protect the rights of everyone where there have been abuses of rights or where disproportionate counter-measures have been taken to deal with threats of terrorist attack. While recognising the difficulties involved, one must ensure international law is respected. Irish Governments of all persuasions have been very consistent in that regard and will continue to be so in all international fora.

Deputy Caoimhghín Ó Caoláin: With regard to the Greek economic situation, the Taoiseach did not reply as to whether he would tackle the very obvious situation in that economy, which is also very obvious in our economy, the evasion of tax by the most wealthy people in the respective jurisdictions. It is particularly evident in Greece, where major shipping magnates who are household names make no contribution to that economy by using the mechanism of declaring themselves to be non-domiciled British residents. This is something the European Union must address, if it is to have any credibility and to approach these matters cohesively. It is not enough to encourage the Greek regime to ape our approach in terms of targeting the least well off workers, that is, those in the public service, low to middle income workers and those on social welfare. There is a responsibility to ensure that those who can afford it pay more. Will the Taoiseach take appropriate steps to have this matter addressed on a collective European Union basis?

The Taoiseach used the terms “surveillance” and “monitoring” regarding the situation in Greece. I wish to apply that to the second matter which I and other colleagues have raised with regard to Irish passports. Does the Taoiseach believe that in the identification—

An Ceann Comhairle: There is so much latitude being——

Deputy Caoimhghín Ó Caoláin: I am responding to what the Taoiseach said. I am not seeking any more latitude than you have already granted here this morning, a Cheann Comhairle.

An Ceann Comhairle: It is not relevant under this group of questions.

Deputy Caoimhghín Ó Caoláin: With regard to surveillance and monitoring, does the Taoiseach have any reason to believe, and is there not a possibility at least, that Mossad is operating in this jurisdiction? There was not only the acquisition of passport numbers but also the use of addresses of vacant properties owned by members of a well known political family in this jurisdiction. How would somebody know this other than through surveillance and monitoring?

An Ceann Comhairle: The Deputy is getting into detail on this matter. It is much more appropriate for a parliamentary question.

Deputy Caoimhghín Ó Caoláin: It is extremely important.

An Ceann Comhairle: It is much more appropriate for a parliamentary question.

Deputy Caoimhghín Ó Caoláin: I beg your pardon, it is totally relevant. Yesterday, the so-called Ministers for Foreign Affairs of the European Union met and, according to reports this morning, our Minister and this country's representatives did not seek to have Israel named and the specific charges that can now be directed at that regime included in the statement following the Council meeting. Will the Taoiseach confirm that the Irish Government did not seek to include Israel in that statement and explain to the House why——

An Ceann Comhairle: Deputy, that is not encompassed by this group of questions.

Deputy Caoimhghín Ó Caoláin: It is. We are talking about European Council meetings——

An Ceann Comhairle: The Deputy should put down a separate parliamentary question to the Minister for Foreign Affairs.

Deputy Caoimhghín Ó Caoláin: ——and this is absolutely relevant. Why did the Government not seek to name Israel and to address the issues and charges that can be directed at that regime in the statement agreed yesterday by the Foreign Ministers?

I will conclude as I do not wish the Ceann Comhairle to get into consternation as it is already tough for him. With regard to the relationship between the European Union and Israel, and in recognition of the fact that the people of the Gaza Strip have been left without the necessities of life, such as water, sanitation, food, medication and even the materials to rebuild their homes and schools, which were devastated in the Israeli air attacks over last year, will the Taoiseach now urge at European Union level that the preferential EU trade agreement with Israel be lifted, to impress on that regime that its conduct towards the Palestinian people is absolutely unacceptable? Will the Taoiseach give the lead in that, given that I believe the overwhelming majority of the Irish people hold that view?

The Taoiseach: The reference to European Council meetings in the question has no relevance to foreign and general affairs meetings, which is outside the scope of these questions. The problem is that when one shows the courtesy of answering questions even if they are outside the scope of the relevant questions, it is then used as a precedent for the next set of questions by the next speaker. One cannot win.

[The Taoiseach.]

With regard to the matters the Deputy raised, I have made the point previously, and the Deputy will be aware of this, that if we wish to influence the situation we can go about it in two ways. We can seek access to both sides of the argument and put forward our positions or we can decide to take one side of the case exclusively and not have a very fruitful relationship with the other protagonists in the conflict. If one wishes to influence events, one must take the former course, make one's points and try to influence events in that way. One could stand on the sideline and talk about issues that will win favour with elements of one's audience but one will not influence the situation very much. It is called diplomacy.

Diplomacy is not about compromising on principle but about trying to bring a greater number of people to the point of view one holds and which one believes provides the prospect of a solution to the problem under discussion. Ireland has a very honourable tradition in that respect with regard to this conflict. As a former Minister for Foreign Affairs and knowing what predecessors and successors have done, I can state that despite the intractability of this problem Ireland has never been slow to put its position bilaterally to the parties concerned when, where and if necessary.

The EU has a common foreign and security policy. It is not based on majority vote but on consensus. The consensus position of the European Union on this matter is articulated at EU level, and where we are in a position to be a little more robust on some issues of concern we do that bilaterally. However, in the context of the Council meeting of Foreign Ministers, the common foreign and security policy position is the one that has been articulated. Ireland has a particular interest and position in this matter. We have the goodwill of all sides and are well regarded in the region. We are seen as honest players who do not have an agenda and are simply calling it as we see it. There have been atrocities on all sides in this conflict, all of which must be condemned. There is no hierarchy of victims of terrorist violence or of violent conflict generally.

Whether the Deputy accepts our position is a matter for himself but this Government, as its predecessors have consistently done, will continue to be an influence for fair play, self determination for the Palestinian people and the right of the state of Israel to exist peacefully.

Deputy Caoimhghín Ó Caoláin: Everybody would agree that diplomacy is the way to approach the issue, if it could be demonstrated that it would work. However, in the situation *vis-à-vis* the Israeli regime and the rights of the Palestinian people——

An Ceann Comhairle: The Deputy has moved on to a different subject.

Deputy Caoimhghín Ó Caoláin: ——we are looking, in terms of the European Union, at a reward for the total disregard of the rights of the Palestinian people when the EU maintains the preferential trade agreement between it and the Israeli state. With respect, the Taoiseach made the point that taking such an approach would not have much influence, but it would have influence, give leadership and add to the world pressure regarding addressing these matters. Let us not forget that a small group of young employees who were trade union activists in Dunnes Stores many years ago took a stand in this country which contributed to regime change in South Africa and the end of apartheid——

An Ceann Comhairle: Deputy, I allowed you to refer to it but I will not allow you to move the subject material on to the subject of the Middle East.

Deputy Caoimhghín Ó Caoláin: ——under that regime. There is apartheid in the attitude of Israel to the Palestinian people. It is no different and, in order to address it, it is to be hoped

that we are not depending once again on ordinary citizens taking action in their employments to urge the Government to give leadership in the European context to address this matter. I hope more can be achieved and greater leadership given, that is, appropriate action which, it is to be hoped, will create a real change for the Palestinian people. That is the objective and I urge the Taoiseach to reconsider the action he proposes to take. He did not answer my question regarding the failure of the Minister for Foreign Affairs, Deputy Martin, to seek to include Israel in the joint statement yesterday following the meeting of European Ministers for Foreign Affairs. Will he answer the question?

The Taoiseach: As I said, it is outside the remit of these questions, since they relate to the Council.

Deputy Caoimhghín Ó Caoláin: The Taoiseach can still answer them.

The Taoiseach: No, I do not have to answer them. That Deputy Ó Caoláin demands I answer them, even though it is outside the remit of the country—

Deputy Caoimhghín Ó Caoláin: It is more that he does not want to.

The Taoiseach: It is outside the remit. Deputy Ó Caoláin does not dictate.

An Ceann Comhairle: Deputy Ó Caoláin, please.

Deputy Ó Caoláin: Nobody is dictating. We are asking questions.

The Taoiseach: The Deputy does not dictate how I answer questions or what questions I answer, if they are outside the remit. It is outside the remit.

Deputy Caoimhghín Ó Caoláin: That is very convenient.

The Taoiseach: No, it is outside the remit.

Deputy Caoimhghín Ó Caoláin: I do not see it as outside the remit.

The Taoiseach: Of course the Deputy does not; that is his opinion.

Deputy Caoimhghín Ó Caoláin: Not at all.

The Taoiseach: That is his opinion.

An Ceann Comhairle: Deputy Ó Caoláin, can we have the Taoiseach without interruption?

The Taoiseach: It is not convenient for me. The Minister for Foreign Affairs, Deputy Martin, is in Gaza this week. He has my full confidence. He articulates the position of the Government at all times.

Deputy Enda Kenny: He did it last week.

The Taoiseach: We have a very good position in this regard. I welcome the fact Deputy Ó Caoláin has a position. That I do not agree with him does not mean I am less right than he is.

An Ceann Comhairle: We have spent a lot of time on this group of questions. Deputy Costello can make a brief contribution.

Deputy Joe Costello: As the Taoiseach said, the Minister for Foreign Affairs, Deputy Martin, is in Gaza this week but he is not there by courtesy of the Israeli Government. I remind the

[Deputy Joe Costello.]

Taoiseach the Israeli Government, on 9 December, flatly refused access to Gaza for the Minister. Will the Taoiseach raise this matter at the Council next month? Why, out of 27 member states, was Ireland refused access by Israel to Gaza through Israeli territory? Why does the Minister have to——

An Ceann Comhairle: Deputy.

Deputy Joe Costello: ——access Gaza through Egypt? This is a matter which should be raised.

An Ceann Comhairle: Deputy, that is outside the remit of the questions.

Deputy Joe Costello: It is a very important issue, namely, why Ireland should be picked out by the Israeli Government and refused what should be regarded as a courtesy call by our Minister for Foreign Affairs to visit Gaza. He now has no choice but to go through the back door, through Egypt.

An Ceann Comhairle: Deputy, you should raise the matter with the Minister for Foreign Affairs.

The Taoiseach: The matter raised by Deputy Costello sets the contrast to the contention to which we listened for the previous ten minutes, that is, that the Irish Government has had a less than robust position regarding these matters. In fact, it gives a lie to that contention because clearly the Irish Government is perceived by some authorities as being more robust than others regarding these matters. The critique to which I listened for the previous ten minutes was that Ireland is not, a view which has been held by elements of the authorities in Israel for some time. I have always sought to ensure our relations with Israel were such that we could be frank friends with it. If one wants to influence what is a very difficult situation, one has to keep open the lines of communication. One can be robust and frank but one also has to have a position which is seen as credible and relevant.

On the point made by Deputy Costello, it is a matter of concern any time an Irish diplomat or politician is denied access when others gain it. Other Irish citizens, as we know, have been doing Trojan work — humanitarian and otherwise — in Gaza for many years under the flag of the United Nations and have been equally vociferous when they have seen injustice or violence perpetrated on a population which was not in compliance, in their view, with international conventions or rules of conflict. That will continue to be the case. The Minister is simply displaying our determination to be with the people concerned and physically present in order that we can see and assess for ourselves, apart from the many reports we obtained from our diplomatic personnel, the situation in Gaza and how we can help and influence events by being robust but fair with all.

Requests to move Adjournment of Dáil under Standing Order 32.

An Ceann Comhairle: Before coming to the Order of Business I propose to deal with a number of notices under Standing Order 32.

Deputy Terence Flanagan: I seek the Adjournment of the Dáil under Standing Order 32 to debate the following matter of national importance, namely, the need for the Minister for the Environment, Heritage and Local Government, Deputy John Gormley, to set up a task force immediately to identify the extent of the problem of the defect pyrite being present in the foundation of new homes throughout the State. It is estimated that some 20,000 new homes

built over the past number of years may be affected by the defect and the sooner the Government tackle this issue head on, which has been going on for more than two years, the better.

Deputy John O'Mahony: I seek the Adjournment of the Dáil under Standing Order 32 to debate the following matter of national importance, namely, the reduction in the number of special needs assistants, in particular the plans of the Minister for Education and Science, Deputy Batt O'Keeffe, to introduce these cuts in special schools, including St. Anthony's Special School in Castlebar, where there are plans to cut four special needs assistants. The criteria used for the review which took place in the school are the same as those used for mainstream school, which is totally unfair and unjust, and discriminates against the most vulnerable in our society who cannot speak for themselves. The final decision on this matter is to be made in the next 24 hours and, therefore, it requires immediate attention.

Deputy Ciarán Lynch: I seek the Adjournment of the Dáil under Standing Order 32 to debate the following matter of national importance, namely, the attempt by landlords whose property is due to be taken over by NAMA to force rent increase of as much as 400% in order to present a more favourable valuation, and the effect of these unrealistic and unjust increases on business which are already struggling and the likelihood of job losses.

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

Order of Business.

The Taoiseach: The Order of Business is No. 21, statements following the informal meeting of the European Council of 11 February, 2010; No. 22, Communications (Retention of Data) Bill 2009 — Order for Report, Report and Final Stages; and No. 24, Road Traffic Bill 2009 — Second Stage (resumed). It is proposed, notwithstanding anything in Standing Orders, that the proceedings in regard to No. 21 shall, if not previously concluded, be brought to a conclusion after 50 minutes and the following arrangements shall apply: the statements shall be confined to a Minister or Minister of State and to the main spokespersons for Fine Gael, the Labour Party and Sinn Féin, who shall be called upon in that order, who may share their time, shall not exceed ten minutes in each case; and a Minister or Minister of State shall be called upon to make a statement in reply which shall not exceed ten minutes. Private Members' Business is No. 76 — Motion re: Unemployment (resumed), to conclude at 8.30 p.m. tonight, if not previously concluded.

An Ceann Comhairle: Is the proposal for dealing with No. 21, agreed to? Agreed.

Deputy Enda Kenny: When does the Taoiseach expect to fill the vacancy created by the resignation of the former Minister for Defence, Deputy Willie O'Dea? Has the Taoiseach a time in mind?

No. 23 is the Dormant Accounts (Amendment) Bill. Obviously, there are diminished funds in this account and according to the information we have the Bill is not due until late 2010. I understand it may not be possible to produce it before then but perhaps the Taoiseach might give me an update on the amount available in the dormant accounts fund given that it was seriously diminished by spending in recent years.

The Taoiseach: That Bill is due for later in this year. As I have said, the position in the Department of Defence is being filled by me for the present.

Deputy Eamon Gilmore: I wish to pursue with the Taoiseach his intentions with regard to the filling of the vacant position in the Government. I shall run through what happened on previous occasions when Ministers resigned. In 2004, the former Minister for Finance, Charlie McCreevy, resigned on 29 September, along with the Ministers Joe Walsh and Michael Smith. The three nominations for replacing those Ministers were made on the same day. In 1997, when Ray Burke resigned as Minister on 8 October, his replacement was nominated the following day. If we go back as far as 1996, when Deputy Michael Lowry resigned as a Minister on 30 November, his replacement was nominated on 3 December, the next day on which the Dáil sat. This is the first occasion I can recall when there has not been a nomination to fill a vacancy arising in the Government, either on the day the vacancy occurred or in the first Dáil sitting afterwards.

What is the Taoiseach's intention in this regard? Does he intend to nominate a replacement in the membership of the Government for the former Minister, Deputy O'Dea, or does he intend to leave the membership of the Government at 14, as it now stands? The position comes up somewhat like the recruitment embargo in the public sector. How long is it intended to leave it that way?

I received a letter today, dated yesterday, from the Minister for the Environment, Heritage and Local Government, Deputy Gormley, concerning the Dublin mayor and regional authority Bill. From it, I see we are to have a Dublin mayor and a new type of regional authority for Dublin. The Minister states he is publishing the draft scheme today to give opportunity for further consultation before the Bill is finalised. He has set up a consultative meeting in Leinster House for spokespersons on 4 March. I welcome all of that but I seek clarification from the Taoiseach. Is it intended, following that consultation with Opposition party spokespersons, that the Government will reconsider that Bill or consider amendments to it in its draft form in light of comments and observations made by Oppositions spokespersons? We were told before that the heads of the Bill had been approved by the Government. Is it intended that there will be another consideration of the Bill by Government before the Bill is published?

The Taoiseach: There is no requirement to set a time limit on when the replacement for the outgoing Minister for Defence will be appointed. His position is being taken by me for the present and that is fine, constitutionally. It will be dealt with in due course.

Regarding the heads of the Bill mentioned by the Deputy, I am sure that having published the general scheme of the Bill in the normal way and having indicated he wishes to discuss the matter with other party leaders, the Minister for the Environment, Heritage and Local Government can determine the merit of discussions that may arise and can consider this in his continuing preparation of the Bill. Obviously, it will be more detailed at the next stage.

Deputy Eamon Gilmore: With regard to the issue of the membership of the Government, my question to the Taoiseach did not specifically concern the portfolio of the Minister for Defence. I understand the Taoiseach has assigned that portfolio to himself as a Taoiseach is entitled to do. However, the issue that arises is the membership of the Government. Normally, there are 15 members of Government. I realise there do not have to be 15 but normally there are. There is now a vacancy. It is a matter for Dáil Éireann to nominate a member for appointment by the President as a member of the Government. As I have pointed out, where a resignation arises in the membership of the Government the business of replacement is normally taken quickly. Again, I ask the Taoiseach if he intends to bring a motion to the House to appoint a member to the vacant position which now arises in Government. When does he intend to do that? Can we anticipate it? Today is Wednesday. Is it the Taoiseach's intention to do this today, tomorrow or next week? Will he postpone it? If that is the case, will he share with the House his rationale for postponing it? It is somewhat unusual that this does not happen

immediately. I believe we are entitled to hear from the Taoiseach what his thinking is on the matter.

The Taoiseach: I have outlined to the Deputy my thinking on it about four times in the past four or five days. My thinking is very clear. The matter will be a matter for the House when a motion for nomination of a person is brought by the Taoiseach. Obviously, prior notice will be given to all the parties in order for them to consider that nominee when put forward. The decision will be taken in the House. That is the situation.

Deputy Eamon Gilmore: Yes, but——

An Ceann Comhairle: Deputy Gilmore, really.

Deputy Eamon Gilmore: This is Dáil business. I am entitled to ask this.

An Ceann Comhairle: There are other Members. I have a list of people. However, you may proceed, briefly.

Deputy Eamon Gilmore: I apologise to other Members if I am detaining them from raising their issues. If the Taoiseach were to give me a straight answer there would be no reason to detain anybody.

The Taoiseach: I gave the Deputy an answer.

Deputy Eamon Gilmore: No, the Taoiseach did not. My question is, when does the Taoiseach intend to bring that motion to the House?

The Taoiseach: Let me answer that question.

Deputy Eamon Gilmore: Good.

The Taoiseach: There is no requirement on me to give a time limit with regard to when that motion will come before the House. I said I would take over the position of Minister for Defence for the present. In due course we will——

Deputy Caoimhghín Ó Caoláin: The Minister for Health and Children?

The Taoiseach: I said defence.

Deputy Caoimhghín Ó Caoláin: I thought the Taoiseach said “Health”. I was hoping that——

An Ceann Comhairle: The Taoiseach, without interruptions.

The Taoiseach: Do not tell me, Deputy Ó Caoláin, that you are putting in a deafness claim as well.

(Interruptions).

The Taoiseach: The Deputy is a lot closer to gunfire than I was.

Deputy Caoimhghín Ó Caoláin: I see the Taoiseach is taking that line from his colleague beside him.

The Taoiseach: I am, yes.

Deputy Caoimhghín Ó Caoláin: You are a great team.

The Taoiseach: I am telling you. The Deputy has been dealing with the same boss for a long time now, has he not?

Deputy Caoimhghín Ó Caoláin: Do not worry.

The Taoiseach: To get back to the business on hand, there is no requirement for me to put a time limit on the nomination. I indicated to Deputy Gilmore that in due course we will make those appointments.

Deputy Caoimhghín Ó Caoláin: Go raibh maith agat. A general election date——

The Taoiseach: A smiling Deputy Ó Caoláin.

Deputy Caoimhghín Ó Caoláin: Give me a moment. A general election date has not been declared but watching the Taoiseach this morning I see the battle has begun already.

Yesterday an official of the Department of Justice, Equality and Law Reform attended a briefing in Leinster House and advised of the likelihood of the mental capacity Bill being published in April. Given that the heads of that Bill are already agreed by Cabinet and that the Bill has been drafted will the Taoiseach instruct that the heads of that Bill be published immediately in order to give the other parties and health spokespersons a heads-up as to what is coming down the tracks in regard to this very important Bill? It is critical with regard to the health rights of people, in particular mental health.

In 2008 it was published as the “scheme” of a mental capacity Bill. I presume the “scheme” relates in some way to what I am seeking, namely, the heads of a Bill. Is what was published in 2008 still relevant? Has the so-called scheme changed with regard to the heads of the Bill to be published in April? I ask the Taoiseach to provide clarity and to confirm his willingness to ensure that the heads of the Bill, now agreed by Cabinet, will be published forthwith.

The Taoiseach: Whether the heads of the Bill can be circulated forthwith is a matter I must take up with the relevant Minister. However, I understand the Bill is due to be brought forward this session so, with the Bill near completion, it would probably be best to deal with the completed Bill this session.

Deputy Lucinda Creighton: I wish to ask about the legislation concerning the directly elected mayor of Dublin and, we are now led to believe, a regional assembly. I find it unacceptable that the heads of the Bill were provided to the media yesterday and we had to read about them in the newspapers today. It is indicative of the kind of Government we are seeing, which is via the media and with no regard for this House——

An Ceann Comhairle: Deputy——

Deputy Lucinda Creighton: This is a very important point.

An Ceann Comhairle: All of these points can be made when Second Stage is debated in the House.

Deputy Lucinda Creighton: I made a telephone the Bills Office looking for information and a copy of the supposedly published heads of the Bill——

An Ceann Comhairle: The Second Stage debate will afford the Deputy ample opportunity to make these points.

Deputy Lucinda Creighton: —which were not made available to any Member of this House but which had been circulated widely to the media yesterday. It is not acceptable and shows sheer contempt for the Members.

An Ceann Comhairle: This is appropriate to Second Stage debate.

Deputy Lucinda Creighton: Is it envisaged that the proposed regional assembly would be directly elected along with the lord mayor or whether it is simply window dressing? Is it envisaged to reform local government in a meaningful way or to just leave the four separate local authorities trundling on with a new layer of bureaucracy over them? That is what it seems to be — just an additional layer of bureaucracy. It is hugely disappointing from a Minister who proclaims a serious interest in reforming local government.

The Taoiseach: The Deputy has made up her mind about the Bill although she has not seen it yet.

Deputy Lucinda Creighton: I did actually, after I pleaded with the Department of the Environment, Heritage and Local Government.

The Taoiseach: There is no requirement under Standing Orders to circulate the heads of a Bill to Members.

Deputy Bernard J. Durkan: It is good manners.

Deputy Lucinda Creighton: It is courtesy.

Deputy Pádraic McCormack: It was circulated to the media.

The Taoiseach: Sorry, I wish to make the point. The Bill certainly has to be circulated to Members but the heads of a Bill are often put on the website by Departments in an effort to be helpful and to provide stakeholders, interested parties and others with the opportunity to comment on the Bill.

Deputy Lucinda Creighton: It was not available on the website this morning.

The Taoiseach: I want to make the point that there is no discourtesy to the House when the heads of the Bill are not circulated as it is not required under Standing Orders.

Deputy Tom Sheahan: For a number of weeks I, like other Members, have been putting down parliamentary questions and receiving the one-line answer that the question cannot be answered within the timeframe given. It suits the Government not to answer parliamentary questions to Members. I am frustrated that the answer I got to questions I asked weeks ago was that the Department had not sufficient time to answer them. Those questions have not been answered to date. Should they not be dealt with in a rota? What will the Taoiseach or the Ceann Comhairle do to safeguard the right to have replies to questions in the House?

Deputy Bernard J. Durkan: I raised the same issue with the Ceann Comhairle two weeks ago and he kindly informed me that the matter was about to be resolved. I am sorry to have to agree with my colleague, not that I ever disagree with him, that what is happening is that the people of the country are being deprived of services and the whole system is coming to a halt. The Department of Social and Family Affairs is littered with appeals that are going around in circles, with no decisions being made.

[Deputy Bernard J. Durkan.]

We on this side of the House are receiving no answers to parliamentary questions and the Government is sitting smugly. Sadly, the end result is that many vulnerable people are being punished indirectly by the Government because it sees fit to do nothing about this subject.

Deputy Tom Sheahan: It suits the Government.

Deputy P. J. Sheehan: On the same matter, I want direction from the Taoiseach. Will he take responsibility for this serious situation arising for democratically elected public representatives of this House who cannot obtain answers to questions? Three weeks ago, I tabled three parliamentary questions to the Minister for Social and Family Affairs on behalf of three constituents, one regarding an application for jobseeker's allowance, one on behalf of a person seeking carer's allowance and the other on behalf of a person seeking the State pension. I received the same reply from the Minister to all three, namely, "Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy". It is the prerogative of the Taoiseach to step in and to introduce legislation to this House immediately so that this conduct will cease and the Members of this House who are democratically elected are allowed to raise matters concerning their constituents and obtain answers thereby. I want immediate action.

Deputy Jack Wall: I have raised the same issue within my parliamentary party. One of the amazing points coming across is that some Deputies are offering a service to the Opposition that they will get replies through the Minister's office.

Deputy Billy Kelleher: We have heard it all now. There are a few tooth fairies around today.

Deputy Jack Wall: It is a very serious accusation. The point is that it is the people who are suffering, not us. We are being paid, as are the Ministers. The people suffering are those being deprived of this service, including the poorest. I ask that the Taoiseach would do something about this serious issue. Children and adults, including senior citizens, are being deprived of the right to know the position of their appeals or their payments. If the system is allowing the Minister to provide services for his own, we ask that the same be supplied across the board in this House.

Deputy Joe Costello: All Members are experiencing the same problem, with the Department of Social and Family Affairs the worst offender at present, probably because the staff there are the most overworked due to the current demand. I had the most unacceptable experience this morning. I had put down a question to the Department of Enterprise, Trade and Employment in regard to when the Minister intended to transpose the services directive, which should already be transposed. The answer I got was that there was not enough time to give me an answer on a matter that should already have been dealt with.

Deputy Fergus O'Dowd: On the same issue, what has happened in my constituency office is that while members of staff in the Department of Social and Family Affairs staff will answer the telephone, they will not talk to me, although they will talk to my constituents. A political decision has been made by the unions not to co-operate with Members of the Oireachtas. It is a critical issue which needs to be urgently addressed. Members of the public are entitled to get the facts but they are not getting them and are becoming stressed because staff will not answer telephones and, even when they do, they will not talk to us.

Deputy Billy Kelleher: Deputy Gilmore might be able to use his influence in this regard.

Deputy Eamon Gilmore: The Deputy is the Minister of State with responsibility for labour affairs.

Deputy Billy Kelleher: It is another job for the tooth fairy.

Deputy Emmet Stagg: On the same issue, it is basic bread money we are talking about. We are not talking about luxuries, or about Deputies being inconvenienced. We are talking about poor people who cannot get the most basic low payment to put bread and sausages on the table, because they will not buy any more than that with it. They are going to the Society of St. Vincent de Paul, which is running out of money.

Whatever action the Government needs to take in talks with the unions, that part of it should be solved quickly. This is not costing the Government money, it is saving it money. It is not inconveniencing the Government in any way, rather it is in its interest that it would continue from the point of view of saving money. The only people being inconvenienced are the poorest in our society who cannot get the safety net money that would otherwise be available.

Deputy Tom Sheahan: It suits this style of Government.

The Taoiseach: I do not believe the legitimate concerns of public servants will be advanced in any way through industrial conflict. Any industrial action, whatever form it takes, is regrettable, in particular if it has any impact on service delivery to the public. The public service management will do everything possible to minimise any such impact. Indeed, there are well established channels of communication with representatives of the trade unions in the public service in regard to the handling of disputes or work to rule actions to try to minimise unforeseen or unintended consequences. We will continue to use those well-established channels to avoid those unintended consequences, particularly on the most vulnerable. I know this is everybody's hope. While an industrial relations dispute is ongoing, I do not think either party to the dispute would like to see unnecessary difficulty being caused for people who depend on the services to a greater extent than others. We should use those channels of communication to deal with any issues that might arise.

The work-to-rule situation means practices are in place which are affecting the role of public representatives and this has been a targeted initiative by those in the current industrial relations situation. We have to try to find a way forward generally to find a basis for engagement and we will work towards that. I am pleased to note the comments from figures on the trade union side, including the president of the Irish Congress of Trade Unions, that an agreed solution to the current difficulties is desirable and possible. The Government is always available to engage with its own employees and their representatives. However, I know that simply inviting unions in for talks without the right context or agreed agenda will not work. The well-established channels of communication with representatives of the unions in the public service could be used to establish whether a basis for engagement could be identified and we will continue to use those channels for that purpose.

Deputy Bernard J. Durkan: A Cheann Comhairle, on a point of order, two weeks ago, you promised me in the House that you had in mind a formula to resolve this particular problem but what has happened? You asked me to desist——

An Ceann Comhairle: Not this issue.

Deputy Bernard J. Durkan: On this issue precisely.

An Ceann Comhairle: I have no role in this issue.

Deputy Bernard J. Durkan: I raised this issue two weeks ago for the reasons I have already stated and the Ceann Comhairle asked me to withdraw for the moment as the matter was in hand. What happened to the proposal he had in mind at that time? Has he contacted the relevant Ministers with a view to ensuring that those of us on the Opposition side of the House get answers to questions which is a requirement——

An Ceann Comhairle: Deputy Durkan knows very well that the Chair has no control over questions——

Deputy Bernard J. Durkan: But the Ceann Comhairle indicated to me——

An Ceann Comhairle: I indicated in relation to a different matter, not this matter. The issue of the replies is not a matter for the Chair. That is the position, Deputy.

Deputy Bernard J. Durkan: No, I am sorry, it was in relation to the order.

An Ceann Comhairle: There is no point in wasting the time of the House arguing a point that is patently wrong.

Deputy Bernard J. Durkan: Under the order of the way we do our business in this House, Members who put down a question are entitled to an answer to the question, be it written or oral. At this moment, the Government is bound to answer the oral questions and that is what happens, to be fair, albeit maybe in a peculiar fashion. However, no questions for written reply are being answered now, or very few of them. When I last raised this issue two weeks ago, the Ceann Comhairle indicated to me that talks were taking place which would have the effect of addressing the issue. This is exactly what he told me.

An Ceann Comhairle: The Deputy has quite clearly misinterpreted what I said to him.

Deputy Bernard J. Durkan: It was quite clear.

An Ceann Comhairle: I want to emphasise, Deputy Durkan, that the Chair has no role in the issue of the replies to questions. It is not my responsibility.

Deputy Bernard J. Durkan: I am sorry, a Cheann Comhairle.

An Ceann Comhairle: My position as Chairman of the assembly is a neutral one, to apply the Standing Orders and to ensure there is proper order in the House at all times——

(Interruptions).

An Ceann Comhairle: ——but I have not control on the issue of ministerial replies.

Deputy Bernard J. Durkan: I am sorry, a Cheann Comhairle, you misunderstand me. I am not suggesting——

Deputy Batt O’Keeffe: The Chair.

Deputy Bernard J. Durkan: Never mind about the Chair. Those guys over there might find themselves in a different position very shortly. The Ceann Comhairle is quite correct in saying he has no control over the quality of the reply to a parliamentary question but it is the order of this House of long standing that replies are given to parliamentary questions. This is not a reflection on the Ceann Comhairle but rather it is the order of the House, the way we order our business. The Government is smugly laughing——

An Ceann Comhairle: The Deputy knows very well we are talking about an industrial dispute issue.

Deputy Bernard J. Durkan: —and the Taoiseach has introduced a quiet, therapeutic note into the debate, intoning all the reasons that this is the way it is.

An Ceann Comhairle: I ask Deputy Durkan to resume his seat, please.

Deputy Bernard J. Durkan: What about the people who depend upon us? What about the people outside depending on us?

An Ceann Comhairle: The Deputy should put the matter down for consideration on the Adjournment.

Deputy Bernard J. Durkan: I will not get an answer.

Deputy P. J. Sheehan: Will the Taoiseach do anything about it?

An Ceann Comhairle: I call Deputy Emmet Stagg.

Deputy Tom Sheahan: I asked the Taoiseach about the questions I put down three weeks ago. Will they be dealt with or will they need to be resubmitted?

The Taoiseach: The logistics in each particular Department are a matter for the Ministers' offices. I presume, in the event that we can get beyond the current dispute, the backlog will be dealt with in the normal way over a period of time when people come back.

Deputy Bernard J. Durkan: Never.

Deputy Emmet Stagg: I wish to revisit the matter of management companies and I refer to the Bill which is on Committee Stage in the Dáil. I remind the House that I and others have been raising this matter for about six years. A Bill was produced and was debated on Second Stage in the Seanad and it is at that Stage now. The Minister wrote us a letter arising from the matter being raised in the House on a regular basis. He informed us that further consultation was required arising from representations received from a variety of stakeholders. This consultation has been going on for quite some time. Is there any possibility that the Bill will be required to be withdrawn and will a new Bill now be required? I am sure the Taoiseach is aware that this is a very pressing matter for large numbers of—

An Ceann Comhairle: We have been over this ground before and I am advised the Bill is in the Seanad at this point.

Deputy Emmet Stagg: It is half in and half out.

An Ceann Comhairle: Until it comes to the floor of this House, only then we will consider it.

Deputy Emmet Stagg: It is certainly business of the House.

An Ceann Comhairle: I accept that, yes.

Deputy Emmet Stagg: I am almost finished my contribution, if the Ceann Comhairle will allow me. There are literally thousands of families who are paying up to €2,500 to have their grass cut by these companies.

An Ceann Comhairle: The Deputy is really anticipating the debate before it gets here.

Deputy Emmet Stagg: Some of the companies have disappeared——

An Ceann Comhairle: The Deputy will have an opportunity to make those points when the Bill comes to the floor of the House.

Deputy Emmet Stagg: I am trying to stress the importance of this matter because it has been going on for six years, from the first time I raised it and maybe before then, but that is when I became aware of it in my own constituency. It is still going on and it is a serious issue. Maybe the new Bill arising from the consultation——

An Ceann Comhairle: I call the Taoiseach.

The Taoiseach: This is a matter which even Members from outside Kildare have been raising on a regular basis. I am glad to report that I understand Government amendments on Committee Stage will be submitted to the Seanad in the week beginning 11 March.

An Ceann Comhairle: I call Deputy James Reilly. I will come back to Deputy Creed.

Deputy James Reilly: Last week, the Taoiseach said in the House that there was a competition for hangar six at Dublin Airport and he also said that Ryanair expressed no interest.

An Ceann Comhairle: On promised business, Deputy.

Deputy James Reilly: I will mention the Bill if I am pushed to it. It is important that we have clarity on this issue. Perhaps the Taoiseach would like to correct the record of the House because I have spoken to both Ryanair and Aer Lingus and neither knows anything about a competition. I refer to a raft of correspondence from Ryanair on this issue dating back to February 2009 so to say it expressed no interest is clearly not in line with the facts. On the day Aer Lingus is talking about letting go 1,100 workers and more than 100 SR Technics workers are marching from the Garden of Remembrance today in protest——

An Ceann Comhairle: I ask Deputy Reilly to submit a parliamentary question on the matter because he is looking for detailed information that can only be provided in that context.

Deputy Paul Kehoe: There is no time to reply to the questions.

Deputy James Reilly: ——that the 300 jobs on offer from Ryanair are not being accommodated in any way. I said last week that the Taoiseach had been branded a liar by an international businessman. He is the leader of our country and I think he should stand up to that. If there is an issue to be clarified on the record of the House — I believe there is — then he should clarify it and correct it. I am asking him to do so. Before I sit down, the idea that the DAA, Dublin Airport Authority, has a licence which allows it to move Aer Lingus — Aer Lingus has admitted this——

An Ceann Comhairle: The Deputy is in serious breach of the norms of the Order of Business.

Deputy James Reilly: ——and the Government owns 100% of the DAA and will not instruct it to accommodate these jobs at a time of terrible recession in this country and offer the 300 people some hope. I fail to understand it. There is a perception of a political bias against airline maintenance workers in north Dublin and this came across to me very strongly this morning. I am offering the Taoiseach the opportunity to correct that perception and to correct the record of the House.

An Ceann Comhairle: This is out of order on the Order of Business.

The Taoiseach: If it is out of order, then so be it. I will reply to the Deputy that I have responded to those claims outside the House and they were made outside the House. I have indicated the position in relation to that matter. I repeat that we would greatly welcome an initiative by Ryanair or any other company that would create viable jobs at Dublin Airport. I reiterate what the Tánaiste, and subsequently the chief executive of IDA Ireland on her behalf, made clear last year. When the Tánaiste met Mr. O’Leary last week, she repeated that the Government will do whatever is practicable to support and facilitate job creation. I could go further in relation to that matter, but I have made it clear by way of public statement and otherwise that there is no basis to those contentions.

Deputy Michael Creed: I would like to refer to the impasse between the Office of the Ombudsman and the State. On 3 February last, the Ombudsman issued a press release in which she said her “only option” when such an impasse arises “is to seek the intervention of the Oireachtas”.

An Ceann Comhairle: The Deputy will have to find an alternative way of raising this matter.

Deputy Michael Creed: If the Ceann Comhairle allows me to finish, I will ask a question that relates to legislation. The Ombudsman made it clear that the Oireachtas “now has the task of deciding who is right and who is wrong in the context of good administration and fairness to the complainant”. If this issue is to be resolved, a substantial motion needs to be brought before the House.

An Ceann Comhairle: Deputy, we are on the Order of Business.

Deputy Michael Creed: Does the Taoiseach consider this issue to have been dealt with by virtue of the recent meaningless statements in this House and the Seanad?

An Ceann Comhairle: We had statements on this matter in recent weeks. If the Deputy wishes to raise it again, he will have to find an alternative way of doing so.

Deputy Paul Kehoe: Deputy Creed is right.

Deputy Michael Creed: This is about the rights of small people.

An Ceann Comhairle: Yes. I am not disagreeing with the Deputy.

Deputy Michael Creed: It cannot be buried by Fianna Fáil circling the wagons to protect a former Minister.

An Ceann Comhairle: I am asking the Deputy to use some of the other procedures that are available for raising matters of this nature.

Deputy Paul Kehoe: What are they?

An Ceann Comhairle: There are many procedures, including the Adjournment debate and Private Members’ time.

Deputy Enda Kenny: Deputy Creed is quite right.

Deputy Tom Sheahan: The Ombudsman asked for the matter to be dealt with in the Oireachtas.

Deputy Michael Creed: The only remaining option is for the Houses of the Oireachtas to intervene. I do not suggest we should swallow the Ombudsman's report hook, line and sinker, if Deputies will pardon the maritime pun.

An Ceann Comhairle: The Deputy can raise the matter at a meeting of the Joint Committee on Agriculture, Fisheries and Food. That is an obvious means of pursuing this issue.

Deputy Michael Creed: The Government parties will vote down anything brought before the committee that does not have the *imprimatur* of the Taoiseach.

An Ceann Comhairle: The important thing is that the Deputy will have an opportunity to ventilate his point of view on the matter.

Deputy Michael Creed: It is a sad commentary on how this House does its business that the Executive has the power to muzzle the Members of the House.

An Ceann Comhairle: Deputy, please.

Deputy Michael Creed: Can we have a forensic analysis in the committee of the issues in the report?

An Ceann Comhairle: I have given the Deputy a long run in this regard.

Deputy Michael Creed: It is not right and proper——

An Ceann Comhairle: I have outlined his options for pursuing this matter.

Deputy Michael Creed: ——that the rights of individuals are being trampled on by the Government in this fashion.

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

Deputy Michael Creed: The Office of the Ombudsman is being dealt with in a disgraceful manner.

An Ceann Comhairle: I call Deputy O'Dowd.

Deputy Michael Creed: It is a legitimate question, to be fair.

An Ceann Comhairle: I have advised the Deputy to pursue the matter through several other channels that are available to him.

Deputy Michael Creed: All of which would be blocked by the Government parties unless the Taoiseach gives them his *imprimatur*.

An Ceann Comhairle: Deputy, please. Exercise the other procedures first.

Deputy Michael Creed: Can we analyse the report in the Oireachtas?

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

Deputy Michael Creed: It is disgraceful that small people should be treated in this way when they go to the Ombudsman.

Deputy Paul Kehoe: Something is being covered up.

Deputy Michael Creed: It is an absolute disgrace.

Deputy Fergus O'Dowd: In response to Deputy James Reilly, the Taoiseach said that the Government is committed to sorting out its issues with Ryanair. The Minister, Deputy Noel Dempsey, has refused to meet Ryanair or to get involved in this serious crisis in the aviation industry. Some 1,000 redundancies may take place in Aer Lingus——

An Ceann Comhairle: Deputy O'Dowd is revisiting a subject that was discussed a few minutes ago.

Deputy Fergus O'Dowd: I will finish by mentioning that Ryanair has arranged a press conference for 3.30 p.m. today to put the facts of this case on the public record. There is a serious difference between the Government's version of the truth and Ryanair's interpretation of the facts.

An Ceann Comhairle: The Deputy will have to find another way to pursue this matter.

Deputy Fergus O'Dowd: The Minister is not intervening. The whole thing will collapse around us. This *laissez-faire* attitude to aviation jobs in Dublin Airport is not at all acceptable.

Deputy Thomas P. Broughan: On the same issue——

An Ceann Comhairle: The Deputy will have to find another way of pursuing this matter.

Deputy Thomas P. Broughan: I am not sure if the Ceann Comhairle is aware that the chief executives of the airlines, Mr. O'Leary and Mr. Mueller, will attend an Oireachtas committee meeting at 4.30 p.m. today.

An Ceann Comhairle: The Deputy can pursue this matter on the Adjournment, during Private Members' time or in many other ways.

Deputy Thomas P. Broughan: I am disappointed that Mr. O'Leary does not intend to wait until he comes to the Oireachtas before he makes whatever points he has to make. He has chosen instead to hold a press conference just before he comes to the Oireachtas. I would like to ask the Taoiseach about a related matter.

An Ceann Comhairle: Is it on legislation?

Deputy Thomas P. Broughan: It is on the Finance Bill 2010, which is before the House at present. The Taoiseach is aware that all the airlines are in agreement on the issue of the travel tax. When it was introduced on 1 April 2009——

An Ceann Comhairle: It is not appropriate to raise this matter on the Order of Business.

Deputy Thomas P. Broughan: It is. I ask the Ceann Comhairle to wait until I ask——

An Ceann Comhairle: The Deputy will have ample opportunity to make these points during the debate on the Finance Bill 2010.

Deputy Thomas P. Broughan: No, I just want to ask the Taoiseach——

An Ceann Comhairle: I cannot allow it.

Deputy Thomas P. Broughan: I am asking him about——

An Ceann Comhairle: We are losing control of the Order of Business because Deputies are endeavouring to raise everything.

Deputy Thomas P. Broughan: I would like to ask the Taoiseach if he will lay the cost-benefit document on the travel tax before the House. When he was Minister for Finance, he used to issue documents in relation to poverty, etc.

An Ceann Comhairle: This is a matter for the debate on the Finance Bill.

Deputy Thomas P. Broughan: Can we have a cost-benefit document in this instance? The Minister for Transport seems to think such a document exists, but I think there is no such document. If it exists, can the Taoiseach bring it in? That is all I am asking.

An Ceann Comhairle: The Bill is being considered by the Select Committee on Finance and the Public Service at the moment. That is an ideal opportunity to raise this matter.

Deputy Charles Flanagan: I would like to return to a matter that was discussed across the floor earlier. The Taoiseach has assumed to his own Department the responsibilities of the Department of Defence. I would like to ask him about the two ministerial vacancies. There may be many links between the resignations of the former Minister, Deputy Willie O'Dea, and the former Minister of State, Deputy Trevor Sargent, but the only one that has been established to date is the involvement of the Garda Síochána in both instances. Will the Taoiseach instruct the Minister for Justice, Equality and Law Reform to institute a ministerial inquiry under the Criminal Justice Act 2006 into Garda leaks?

An Ceann Comhairle: The Deputy will have to find another way of raising the matter.

Deputy Fergus O'Dowd: The Garda must be above suspicion.

The Taoiseach: Absolutely.

Deputy Charles Flanagan: In fairness, the Taoiseach is offering.

Deputy Fergus O'Dowd: The documents are in the newspapers today.

The Taoiseach: I want to make the point——

Deputy Fergus O'Dowd: The file and reference numbers are mentioned.

The Taoiseach: I understand the Garda Commissioner has asked a chief superintendent from outside the area to conduct an inquiry into the circumstances surrounding the issues arising from the resignation of Deputy Sargent. The chief superintendent has been asked to ascertain whether it is possible also to deal with how documents come into the public domain.

Deputy James Bannon: Can the Taoiseach give me an update on the progress being made with the monuments Bill? He might not consider the Bill, which will protect our national monuments, to be of pressing urgency, but I would beg to differ in that regard. It has been on the Order Paper for a long time. I would like to know when it will come before the House.

The Taoiseach: This year.

Deputy James Bannon: We may need it to protect some of the relics on the other side of the House.

Deputy Pat Rabbitte: The Taoiseach has observed that the ongoing industrial action is targeted at public representatives, particularly Members of the Dáil. I suggest that it does not appear to be affecting Ministers. I am not complaining about the fact that Ministers are able to do their business. It is a very odd industrial action — the target is supposed to be the Government, but the only one not affected is the Government. As Deputy Wall said, the poorest in the land are suffering. Is the Taoiseach prepared to initiate some action to bring this dispute to an end? It is not the case that the unions cannot be called in without a comprehensive agenda. We cannot have a situation in which the Members of the national Parliament cannot get straightforward answers to queries that are made on behalf of their constituents.

Deputy Bernard J. Durkan: Hear, hear.

An Ceann Comhairle: We have had a discussion on this matter.

Deputy Pat Rabbitte: I accept that. The Taoiseach agreed that the action is targeted at Members of the House. As Deputy Wall said, some of our colleagues on the Government side of the House have offered use of the facility of going through the Minister's office——

The Taoiseach: Who?

Deputy Pat Rabbitte: They have.

Deputy Dermot Ahern: Name them.

Deputy Pat Rabbitte: I do not want to abuse their offer. When serious and urgent individual cases arise, I am glad to use any means of facilitating the resolution of such problems. It is not a partisan point. People have been waiting for months for their entitlements.

Deputy Bernard J. Durkan: That is right.

Deputy Pat Rabbitte: We cannot even get a reply to it. Meanwhile, Ministers continue to be able to get replies. The trade unions have said that their action is targeted at the Government, but the only people suffering are the poorest in the land.

The Taoiseach: I do not accept — far from it — that we are not affected. We are all affected by this. Obviously, Ministers have ministerial duties to perform and, thankfully, we have been able to do that to the best of our ability. We have an ongoing industrial relations dispute here which is affecting all Members in one way or another. I do not accept the contention that certain people are being exempted from the impact of the action. We are all affected in the same way, as one would expect.

There are well-established channels of communication, as the Deputy knows, in an industrial relations dispute where staff representation and management maintain contact to ensure there are no unintended consequences in respect of an action going beyond what was envisaged. There is a preparedness in good industrial relations practice to ensure wider effects beyond what was intended do not occur. Contact is ongoing in this respect.

The optimum solution is to find a resolution to the problem and finding a basis for engagement is ongoing. However, that is a separate matter. In the handling of the dispute, we must ensure that we avoid unintended effects. Unfortunately, the nature of some the actions taken have affected how public representatives are able to discharge their parliamentary duties for their constituents, as in the answering of parliamentary questions.

We must see if we can ameliorate, mitigate or minimise these impacts. It is causing inconvenience and having an effect. Obviously, it was not intended to have no effect. When we, on

[The Taoiseach.]

behalf of management, bring it to the attention of staff interests that vulnerable people are affected or have had their entitlements deferred as a result of the action, we must ensure, through the normal arrangements, that such unintended consequences are avoided.

We have a dispute situation here and it is having some effects. These effects and inconveniences are being articulated by all sides of the House.

An Ceann Comhairle: We will move on to statements.

Deputy Bernard J. Durkan: A Cheann Comhairle, I had indicated that I wanted to raise an issue.

An Ceann Comhairle: Deputy Durkan, can it be raised tomorrow?

Deputy Bernard J. Durkan: It is on promised legislation.

An Ceann Comhairle: Deputy, you have been on your feet about three times today already on the Order of Business.

Deputy Bernard J. Durkan: I was elected by the people to ask questions here.

An Ceann Comhairle: Yes, I know but there are other Members too.

Deputy Bernard J. Durkan: On 29 September 2008, the Taoiseach and the Minister for Finance indicated to the House——

An Ceann Comhairle: Is this on promised legislation?

Deputy Bernard J. Durkan: It is. They indicated the intention was to get back to the traditional banking principles of lending and borrowing.

An Ceann Comhairle: Is the inquiry about promised legislation?

Deputy Bernard J. Durkan: I will tell you, a Cheann Comhairle, about the promised legislation in a second if you let me and stop interrupting me.

An Ceann Comhairle: Can we get to the point?

Deputy Bernard J. Durkan: What action has been taken to reintroduce traditional banking principles. For example, the Central Bank (consolidation) Bill and the financial services (miscellaneous provisions) Bill are listed for publication in 2010, although I asked about them on 2 February and 9 February. The Government programme also states it is not possible to indicate when the financial services regulation Bill will be published. Since a return to traditional banking has been a fundamental pillar of the Government's policy for the past two years, would it not be reasonable to give some indication as to when this pivotal legislation will be brought before the House?

The Taoiseach: We are working on two Bills. The Central Bank (consolidation) Bill is a large project and will be published towards the end of the year. Another Bill will come in this or in the next session to deal with some important and immediate reforms in integrating the Irish Financial Services Regulatory Authority model with the Central Bank one to form a Central Bank commission, reforms which the Minister for Finance wishes to undertake.

European Council Meeting: Statements.

The Taoiseach: The informal meeting of the European Council on Thursday, 11 February was the first meeting presided over by the new President of the European Council, Herman Van Rompuy, under the new Lisbon treaty arrangements. It was also the first meeting since the appointment of the new Barroso-led European Commission, which includes Mrs. Máire Geoghegan-Quinn as Commissioner for the important portfolio of research, science and innovation.

I wish to pay a personal tribute to Charlie McCreevy who served as Commissioner for the past five years. As Commissioner for the Internal Market, he had responsibility for the financial services sector in Europe, which has been top of both the European and the global political agenda for the past three years given the turbulence in the international financial markets. He dealt with this portfolio in a politically sensitive and deeply committed way, including supporting a series of measures which are helping to ensure the economy of the European Union recovers. He is a highly respected politician on the international stage.

While the European Council forum is formally scheduled to meet four times a year, there can also be informal or special meetings which are more *ad hoc* in nature and do not usually have formally agreed conclusions. On this occasion, there was a formal outcome, namely, the statement of the Heads of State or Government on Greece. One consequence of the entry into force of the Lisbon treaty is that the European Council has a more prominent role in deciding and driving the overall direction of the Union and its policies. That said, I expect sectorial Councils will continue to have a major role in shaping the policy agenda.

Our meeting on 11 February was called by the President of the European Council to discuss the future economic policy of the Union. It was also to give direction to work to be taken on in various Council formations ahead of the spring European Council which normally concentrates on economic matters. This year's spring Council will be on 25 and 26 March. It had also been intended that we would discuss the aftermath of the December climate change conference in Copenhagen and the crisis in Haiti. In the end, however, we did not have in-depth exchanges on these subjects.

Instead, the challenges facing the Greek Government to meet the targets set in the 2010 stability programme and beyond took up a significant part of our meeting. A statement was agreed on this matter which, for completeness, I will now read into the Official Report:

All euro area members must conduct sound national policies in line with the agreed rules. They have a shared responsibility for the economic and financial stability in the area.

In this context, we fully support the efforts of the Greek Government and their commitment to do whatever is necessary, including adopting additional measures to ensure that the ambitious targets set in the stability programme for 2010 and the following years are met. We call on the Greek Government to implement all these measures in a rigorous and determined manner to effectively reduce the budgetary deficit by 4% in 2010.

We invite the ECOFIN Council to adopt at its meeting of 16 February the recommendations to Greece based on the Commission's proposal and the additional measures Greece has announced.

The Commission will closely monitor the implementation of the recommendations in liaison with the ECB and will propose needed additional measures, drawing on the expertise of the IMF. A first assessment will be done in March.

The Euro area member states will take determined and co-ordinated action, if needed, to safeguard financial stability in the euro area as a whole. The Greek Government has not requested any financial support.

[The Taoiseach.]

Two core messages are contained in the statement. First, there is clear solidarity among the member states. Second, the member states acknowledge they have commitments and responsibilities which they must fulfil, most notably under the framework provided by the Stability and Growth Pact.

There are various agreed mechanisms to support member states in doing that. Since the European Council met on 11 February, ECOFIN met again last week and agreed that the Commission would report back to ECOFIN on 16 March on the implementation of budgetary measures by Greece. ECOFIN also agreed that additional measures would be taken, if considered necessary, to secure the budgetary target of a reduction of 4% of Greece's budget deficit in 2010.

It is important to acknowledge the scale of the adjustment which the Greek Government has undertaken to make. It is a very considerable, but a necessary, undertaking. We are supportive of Greece not just because we are friendly nations, partners in the European Union and members of a single currency, but also because we have the common interest of the euro area as a whole to protect. Greece's difficulties have been compounded by a lack of trust in the statistics it provided previously. The sharply increased degree of scrutiny now being applied is thus in the interest of both Greece and the euro area as a whole.

The other main topic of discussion was economic policy and the need for a new European strategy for growth and jobs. One important element concerns the means and timing of exit from current exceptional stimulus arrangements across the Union. Perhaps even more important is the degree to which we can reach and deliver agreement on medium to long-term structural change in Europe. Such change is necessary to allow us to deal with the challenges being thrown up by our demography, the sustainability of the European social model and pensions, the challenge of competing on a global level when many countries or regions continue to grow rapidly as we struggle, and the related environmental and energy challenges. New policy priorities will not, of themselves, achieve results; they must be implemented in an effective and verifiable manner across the Union. The mechanism for turning agreed policy into action is to be a new strategy for growth and jobs, succeeding the Lisbon strategy that ran from 2000 to 2010 but which, in recent times, has been somewhat overshadowed by the economic crisis.

The aim is for this new strategy to be considered in detail at the spring European Council and agreed at our June meeting. As a next step, the Commission is due to present a communication on the proposed strategy in early March, taking into account the key elements of our discussions to date. At the meeting on 11 February, President Barroso gave a presentation on the broader economic context. The decline in European GDP has been the worst since the 1930s. The result is 7 million more people unemployed than before the crisis, more than every man, woman and child on this island. Looking to the future, and the nature of the challenge facing us, the Commission estimates that 16 million more jobs than today will require a high level of qualification but there will be less demand for what is sometimes termed low-skilled work.

These are stark figures and they illustrate the scale of the economic crisis across Europe. The challenges we face today are by no means unique to Ireland. Right across Europe, not to mention further afield, governments are facing major challenges and are confronted with tough decisions as they seek to reduce budget deficits, to stem the haemorrhage of jobs, to re-stimulate their economies and to remedy their banking sectors. This is why, at EU level, we now need a new, targeted strategy to promote growth, create jobs and ensure competitiveness. The Commission has suggested the core elements of that strategy should be based on knowledge

and innovation, an inclusive high employment society, and greener growth. These elements resonate very well with our own national efforts and priorities, including our smart economy plans and framework.

During our meeting, we also discussed how we can ensure that the agreed strategy is effective in delivering on its goals. We need to ensure shared responsibility and coherent action, while maintaining sufficient flexibility so that responses can reflect varying challenges and differing national circumstances. We also discussed how the various budgetary, economic and indeed climate change plans could be presented and considered in a more coherent way, considering they are closely related to each other. We agreed on the need for enhanced monitoring, benchmarking and reporting, where the progress of each member state is held up to greater scrutiny by the others. These arrangements must also be proportionate and not over-burdensome if they are to be both efficient and effective.

There was widespread agreement that the new strategy should be focused on a relatively small number of key strategic priorities. For my part, I stressed that the strategy must focus on areas such as competitiveness; research, science and innovation; completion of the Single Market; employment activation measures and training; a low carbon green technology economy; sustainable use of resources, including the development of agriculture and food resources; and boosting our access to global markets. Others of course will have their own priorities for which they can be expected to press.

The Union is at an interesting point. There is a shared desire to improve our economic performance so that we can deliver for our citizens. Working more closely with one another can play an important role in pursuing that. At the same time, the current difficulties have highlighted that we must all act within agreed frameworks that protect our common interest and our national interests. In the coming weeks and months, I will be endeavouring to ensure the priorities that are important to Ireland are taken on board as we craft a framework to guide the Union's economic direction in the coming decade.

Deputy Billy Timmins: I propose to share time with Deputy Creighton. I wish Commissioner Máire Geoghegan-Quinn well in her appointment. I also wish the former Commissioner, Mr. Charlie McCreevy, well. He had many disagreements with this side of the House but one must admire his individual streak and his commitment. I wish him well in whatever line of work he takes up in the future.

The recent special summit did not have the desired impact in terms of reassuring the financial markets that the economic crisis in Greece would not threaten the stability of the euro. While I recognise the Greek Government has taken some decisive steps to stabilise the economy, it is essential the European Union makes it clear that no eurozone member will be allowed to default on its sovereign debt. The same resolve displayed during the banking crisis must be repeated in defence of the euro. I welcome the contribution by the Taoiseach outlining the strong measures the European Union has taken with respect to Greece. I refer in particular to the view that statistics were falsified. The mechanism by which Greece borrowed money was disguised but I am not sure whether it was knowingly or willingly intended to deceive. That this has been addressed by the EU in so open a manner augurs well for post-Lisbon Europe.

The Taoiseach referred to the EU response to the disaster in Haiti, the other main issue for discussion. It is important that the new clarity in external relations provided for in the Lisbon treaty is implemented in a clear and coherent fashion so there is clarity about the respective roles in the new structures. I have raised the matter of Irish Aid budget and aid agencies with the Minister for Foreign Affairs. We talk about learning lessons from the past but it struck me that as much effort was put into the PR aspect of the whole operation in Haiti as into solving the problem. Under the umbrella of Dóchas or the Department of Foreign Affairs, all the aid

[Deputy Billy Timmins.]

agencies should be brought in and we should examine the areas of expertise and the geographic locations of the agencies. Rather than having five or six aid agencies in one patch fighting for publicity and funding for the same operation, we should examine the feasibility of aid agencies operating in an area of expertise or a single geographic area.

Most of the European Council meeting was taken up with the European strategy for growth and jobs. This follows from the horizontal social clause in the Lisbon treaty, which states that every policy must be proofed against achieving a high level of employment. One relevant issue here and right across Europe is employment. We touched on the Government submission, which will be considered at the Council meeting in March. The strategy for growth and jobs has not been debated in this House and few Members are aware of the Government proposal. The Minister of State, Deputy Dick Roche, appeared before the Joint Committee on European Affairs and outlined Government thinking, answered questions and said he would take on board committee members' views. This is an important document. Agreement will be reached by June but Members of this House have had no input. I ask the Taoiseach to consider allocating half a day to debate this topic. Unemployment is the subject of the Private Members' motion debated last night and tonight. As I was driving in today I heard the media talking about the lack of awareness in the Oireachtas of the importance of employment. This is probably the subject that has been discussed most in the past few months but it gets no coverage from the media.

The passports issue was not dealt with at this informal meeting. It is imperative that the Minister for Foreign Affairs, in conjunction with the Minister for Justice, Equality and Law Reform, tries to establish whether there is a link with the falsified Irish passports and how this information was gathered by whoever carried out the operation. It is really important. It is very difficult to protect the security of a passport because we hand them in at airports and hotels. It is important that we establish, in conjunction with our European partners, who used these passports and how they obtained the information. We must be prepared to take whatever steps are necessary if it is shown that another state authorised the use of these documents. It is a very hostile act to falsify passports of a friendly nation or any nation.

Deputy Lucinda Creighton: This important and timely meeting of the European Council shows that the European Union is serious about responding to the economic crisis and to events as they arise. We are seeing a new dynamic at European Council level. I hope the appointment of a permanent President is assisting that and will facilitate a greater coherence of approach.

I am concerned that the euro and monetary union in general are under attack or at least subject to a certain sceptical scrutiny by economists and commentators in this State. We must ensure that the debacle that is the Greek situation does not add fuel to the negative commentary we have been hearing in recent months. It is essential that there be close monitoring of Greece. I welcome the Taoiseach's indication that the European Commission will report, monitor and update ECOFIN on 16 March. Monitoring and scrutiny of what is happening in certain member states within the eurozone must continue and must be rigorous. Above all, it is essential that Greece does not default on its sovereign debt. That would be devastating to member states within the eurozone, to the currency and to the credibility of the eurozone as an economic trading bloc.

Deputy Timmins referred to the renewed strategy for growth, the so-called 2020 strategy. I am concerned that this is being rushed. Between the two referenda on the Lisbon treaty and the delay in the appointment of the new Commission, there is not much time for member states to focus on their response and input to the strategy. The Commission is under major pressure

with new Commissioners who have only just taken up their portfolios. Many of us have been critical not of the aspirations but of the implementation of the Lisbon strategy in the last ten years. I hope this new strategy will not be similarly disappointing in terms of a failure to deliver on targets.

We all agree there is a need for greater regulation. From an Irish perspective there is a dire need for strategic investment in infrastructure. We are all aware of the need to improve our broadband roll-out and so on. This must be integrated into the 2020 strategy. Another issue that I hope will be taken on board arose at meetings of the Joint Committee on European Affairs and was communicated to the Minister of State, Deputy Roche. Amidst all the talk about the knowledge economy it is important to bear in mind that it is not feasible for all our employment to be centred around that. Not everybody will be in a position to play a part in the smart economy and, therefore, there must be some emphasis on manufacturing jobs and heavier industry. That must be included in the 2020 strategy. While we concentrate on the smart economy, we must also focus on ensuring we have some level of heavy industry in Ireland and Europe. There are many skilled tradespeople currently out of work in this State because of the collapse of the building industry. That must be factored into our input in advance of June.

Deputy Eamon Gilmore: I propose to share time with Deputy Costello.

Acting Chairman (Deputy Noel O'Flynn): Is that agreed? Agreed.

Deputy Eamon Gilmore: This was a summit that had much work to do. The planned agenda included initial work on EU2020 — the replacement for the Lisbon Agenda — the post-Copenhagen negotiations, and Haiti. It was right that the focus of the summit should have been the economy. With 23 million Europeans unemployed and given the failure of the Lisbon Agenda, the EU2020 agenda is a vital part of the future agenda for the Union. Unfortunately, however, the summit was dominated by the public finances of Greece and the implications of the Greek position for the eurozone. Regrettably, the vital discussion on EU2020 was pushed to the background.

Several points are worth making about the approach taken by the summit to the Greek situation. First, it was right for the leaders to recognise that this is first and foremost a problem for Greece and that it can only be solved in Greece. The new Government there has made clear its determination to confront the country's deficit and it is appropriate that it be given the opportunity to do so. The PASOK Government under the Prime Minister, Mr. Papandreou, has repeatedly stressed its intention to take radical measures to address the public finances. It deserves the support of the other eurozone countries in its efforts. Equally, it was important that the eurozone countries issue a strong statement of solidarity and support making clear that the eurozone is willing to backstop the Greek position while it implements its adjustment programme. There are many who would have preferred to see more concrete proposals coming from the summit meeting rather than kicking the details off to ECOFIN. What is important now, however, is that both sides stick to their commitments, the Greek Government to its adjustment programme and the eurozone to its solidarity commitment.

The debate about the Greek position has been accompanied by an enormous amount of ill-informed commentary. Numerous commentators have referred casually to the end of the euro or the break-up of the eurozone as though that were a practical proposition. It is not. Nor is it a practical idea that any individual country could depart from the zone without enormous economic and social consequences. This kind of simplistic commentary does nothing to deal with the problem. As a result of the summit statement, the implicit guarantees that were part of monetary union have become more explicit, but they have not become all that much clearer. In future, a more explicit crisis-resolution mechanism will be required.

[Deputy Eamon Gilmore.]

In the meantime, while fiscal consolidation is necessary in some eurozone countries, it is not good policy for all countries aggressively to curtail their deficits just yet. For Ireland, the counterpart of fiscal consolidation must be a revival in exports which depends on robust demand in our main markets, including the United Kingdom and Germany. As several commentators have pointed out in recent days, the unwillingness of Germany to boost demand for exports from other eurozone countries has direct implications for countries like Ireland that need to make fiscal adjustments. The debate needs to move on to these types of issues.

Another feature of the period running into the summit and of the whole controversy surrounding Greece has been the role played by credit default swaps, CDSs. If trading in CDSs can be used to undermine the stability of a country — and, by extension, the eurozone itself — then there is a logical course of action for governments to take. The market in CDSs for sovereign debt must be curtailed. The British economist, Will Hutton, has pointed out that England banned trading insurance policies in which nobody took responsibility for paying insurance as “the worst form of financial depravity” in the 18th century. While hedge funds may love CDSs, they have played a major role in undermining confidence in Greece. Mr. Hutton calls for a ban on CDSs in their current form.

The whole area of hedge fund regulation is one where the European Union needs to adopt a more robust stance. There is a proposal for a directive on alternative investment fund managers, which was proposed by the European Commission in April 2009. Regrettably, this proposal falls far short of the type of robust legislation that must be imposed on hedge funds. It proposes to regulate hedge fund managers rather than the funds themselves. It does not impose clear limits on extreme leverage and does not impose adequate or clear penalties for improper conduct. Europe must learn the lessons of the crisis and bring forward effective measures to rein in financial markets. Proper hedge fund regulation is a crucial part of that process.

While it is understandable that the situation in Greece pushed other issues down the agenda, it is nonetheless regrettable. The EU2020 strategy must be addressed with greater urgency. With 23 million Europeans unemployed, the European Union must come forward with a viable strategy for long-term growth and the generation of more and better jobs. The last strategy that set out to achieve this goal, the Lisbon Agenda, is increasingly seen as having failed. This issue must be made a priority for future summits.

Deputy Joe Costello: I thank Deputy Gilmore for sharing time with me. In his statement today the Taoiseach made clear that since entry into force of the Lisbon treaty the European Council has a more prominent role in deciding and driving the overall direction of the Union and its policies, which I welcome. I welcome also that the President as chairman will drive those policies in the interim when the quarterly and informal meetings are not taking place.

It was disappointing to hear that even though there were other items on the agenda, only one item was addressed, namely, the fiscal position of Greece which, no doubt, was a pressing issue. Nevertheless, the climate change issue post-Copenhagen, also a prominent issue on the agenda, was not addressed. Likewise, the EU2020 strategy referred to by other speakers was not addressed. The EU2020 strategy has not been prominently addressed anywhere, not even in this House. I believe we should afford it considerable debate in this House. EU2020 strategy is a rather anodyne term. I suggest it should be a growth and jobs strategy, which would make clear that about which we are talking. What does EU2020 strategy mean? It is merely a carry on from the Lisbon strategy, the thrust of which is not fully clear. Growth, jobs and competitiveness are the important issues, as referred to earlier by the Taoiseach.

The passport issue, on which I did not speak this morning, is a serious matter, one which I have no doubt will continue to grab headlines during the run-up to the forthcoming Council

meeting in March. This issue should be addressed in a European context as not alone were Irish passports and citizens' identities stolen and used in such a fashion, so too were the passports and identities of other citizens of the European Union, in particular citizens of our neighbours, the United Kingdom and France and Germany. I believe the Taoiseach should communicate with those countries on this matter. It is not acceptable that the issue was not raised by the Council of Ministers yesterday. I believe the Taoiseach should make it a major issue at the forthcoming meeting. If we are to have a preferential trading agreement and we are the largest trading entity with Israel, we should expect friendly countries to respond in kind.

That being said, I would like to comment on the climate change issue. Copenhagen was disappointing. The Minister for the Environment, Heritage and Local Government, Deputy Gormley, other Ministers and the Taoiseach spoke glowingly in this House of what could be done in Copenhagen. Until close to the end of the negotiations in Copenhagen, we were expecting a binding agreement.

The Taoiseach: That was not my fault.

Deputy Joe Costello: I will not say that.

The Taoiseach: Perhaps if the Deputy had been with me, we would have got there. We just missed it.

Deputy Joe Costello: Yes, indeed. It was missed by everybody.

Deputy Eamon Gilmore: I thought the Taoiseach had with him men who are good at these things?

Acting Chairman: Deputy Costello has one minute remaining. I must then call Deputy Morgan.

Deputy Joe Costello: We expected more than we got. We got very little. We got nothing binding, no agreement between the major countries. The United States, China, Brazil and South Africa ganged up and met separately as did the developing countries but the European countries did not appear to have any real handle on the situation. It was extremely disappointing given all that was promised. I hope the Taoiseach will be prepared for the forthcoming major conference in Mexico next year. It does not appear as though he or any of the others, including the Minister, Deputy Gormley, who came back with his tail between his legs, were prepared last time.

Deputy Eamon Gilmore: We were let down again.

The Taoiseach: That is unfair. It is not like Deputy Costello.

Deputy Joe Costello: That is not the way we like to see matters progressed. I am sure the Taoiseach would have been delighted to see his colleague in Government get something. The Minister, Deputy Gormley, was for the entire year stating he was going to sort out the world's problems in regard to climate change.

The Taoiseach: Ably provoked by Deputy Costello.

Acting Chairman: The Deputy's time has expired.

Deputy Joe Costello: This issue should be on the agenda next month and should be promoted by the Taoiseach.

Deputy Eamon Gilmore: The Labour Party will stand by——

Deputy Arthur Morgan: I apologise to the Taoiseach for missing the first part of his contribution but I was attending the Committee Stage debate on the Finance Bill. The Taoiseach will know from experience what that encounter is like.

Sinn Féin does not support the actions Greece is being asked to take by the EU Commission. Nor for that matter does it support the Irish Government's analysis and approach to our own economic woes. Sinn Féin believes there is a fairer, better way out of the global and domestic recessions. The European statement reads:

All euro area members must conduct sound national policies in line with agreed rules. They have a shared responsibility for the economic and financial stability of the area.

Let us examine this, which is the forerunner to Greece being asked to inflict economic sabotage on its people so as to fall in line with outdated EU rules in terms of the Stability and Growth Pact.

What is a "sound national policy?" The EU and, unfortunately, the Irish Government would have us believe that a sound national policy is one that deflates an economy to the point of imposing serious hardship on its people. It is one that curtails workers' rights so they cannot infringe on economic decisions and one that steadily erodes public services so that people are pushed into consuming private services, usually bought cheaply from the State in a sell-off initiated by a "sound national policy."

The Irish Government pursued its own brand of "sound national policy" in the budget of December last when it cut the wages of public sector workers, social welfare, health and education funding and took, in total, €4 billion out of the economy. The Fine Gael and Labour parties supported the Government's €4 billion analysis. Three months later, the live register continues to grow, house prices continue to fall, the banks still are not lending and our consumption sector is in free fall. The Government is happy because it appears we are no longer considered the naughty children of Europe, as though that is all that matters. This same medicine is being passed on to Greece to ensure it brings down its budgetary deficit by 4% in 2010.

I want to point out the elephant in the room. It was the EMU's one rule fits all that caused much of the problems of the small economies in Europe. The access to easy credit by these developing economies, like Ireland and Greece, combined with the loss of monetary control, fed the bubbles that arose in the PIIGS, Portugal, Italy, Ireland, Greece and Spain, countries. The command that every economy stay within the 3% Stability and Growth Pact, when different countries have different needs, further damaged economic development. It was not true; the larger countries, for example France and Germany, broke the pact on several occasions and suffered no real consequences.

The insistence now that economies bring back their domestic deficits to within this 3% is utter madness. Attempting to reduce a structural deficit in a time of recession is counter-productive. Deficit reduction should be counter-cyclical to allow Government's the sovereign decision making needed to right an economy in decline. Borrowing for investment should be allowed if such investment is designed to stimulate an economy and, therefore, grow it. Of course, there are always exceptions made by the EU. In the Irish case, workers must suffer pay cuts and those who have lost their jobs must live on less, because we are not allowed to borrow to pay for a jobs strategy or societal needs. We can, however, borrow €54 billion to give to banks for toxic loans as long as we place that borrowing through a special purposes vehicle and keep it off the general Government balance sheet. This is the type of lunacy being allowed by the EU and now being inflicted on Greece.

The EU and this Government have turned Ireland into a debt-servicing vehicle to protect the euro. It is not important for them that unemployment and emigration will continue to rise and that our public services will fall into disarray. Given we have no monetary control over the euro and our main trading partners are non-euro members, they want us to further deflate our economy to make ourselves cost competitive, which means more hardship for people across the country. I extend my sympathy today to Greece. To have an economically inept EU leaning over one's shoulder and telling one how to run one's country is a sad reality in which to find oneself. Ireland has been run by incompetents for years and we have had our own experience of EU pressure so we can fully understand this Greek tragedy.

Minister of State at the Department of Finance (Deputy Martin Mansergh): The Taoiseach's earlier remarks on the outcome of the informal meeting of the European Council were comprehensive, clear, informative and important. It is, therefore, worth stressing the two core messages that he identified in the statement by the Heads of State or Government of the European Union on 11 February. The first of these is the clear solidarity that exists among the member states. The second is that all member states recognise that they have commitments and responsibilities which they must fulfil, particularly as regards the framework provided by the Stability and Growth Pact. This statement by the Heads of State and Government provided a clear defence of, and support for, the integrity and cohesion of the eurozone against a background of the recent global economic and financial crisis.

1 o'clock

The Heads of State and Government fully supported the efforts of the Greek Government and its commitment to do whatever is necessary, including adopting additional measures to ensure that the ambitious targets set in the stability programme for this year and thereafter are met. They also called on the Greek Government to implement all these measures in a rigorous and determined manner to effectively reduce the budgetary deficit by 4% in 2010. It is also important to draw attention to another aspect of the statement namely, that "all euro area members must conduct sound national policies in line with the agreed rules. They have a shared responsibility for the economic and financial stability in the area". The position taken on Greece implicitly reminds all concerned that the Stability and Growth Pact, and adherence to its rules, continue to provide an essential framework for sound budgetary policies and that there has to be a continued firm commitment to the pact in these difficult times.

This is of particular relevance to Ireland and highlights the need to continue with the policies to stabilise the public finances that are already in place. The 2010 budget was the latest in a series of measures, beginning in mid-2008, designed to restore order to the public finances. The budget re-emphasised the Government's commitment in this regard. Difficult and painful measures were necessary in the 2010 budget. An expenditure adjustment of €4 billion was delivered. As a result of these decisive actions, it is forecast that the deficit will be stabilised in 2010. The Exchequer returns for the end of January 2010 were broadly in line with expectations. Much more needs to be done to improve our public finances and we have set out commitments in this regard up to the end of 2014. While the Government is not complacent about the numerous challenges that still confront us, including the expectation that economic activity will contract again this year, there are indications that the economy is stabilising and there are emerging signs that we may be close to the bottom of the current downturn. There is growing consensus among observers that positive economic growth will now return during the second half of this year, although we will have to wait until next year before we experience growth on a full-year basis, as the international recovery gains momentum, competitiveness improves and the domestic economy recovers.

Following the direction given by the informal council last week, the ECOFIN Council adopted a comprehensive and ambitious package of recommendations to Greece, covering

[Deputy Martin Mansergh.]

fiscal and structural policies, based on proposals from the European Commission and following discussion with all member states. These recommendations require that the Greek authorities take steps to reduce the deficit on the public finances below 3% of GDP by 2012, in line with their obligations under the Stability and Growth Pact. They are also invited to implement specific economic reforms considered consistent with the smooth functioning of the eurozone.

With regard to Ireland's response to the Greek situation, we welcome the efforts of the Greek Government to tackle the substantial economic and fiscal challenges which the country faces. These measures are key to addressing the fiscal and competitiveness challenges of the Greek economy. We also welcome recently announced measures which clearly show the determination of the Greek Government to consolidate the public finances and restore competitiveness. There is an urgent need for these measures to be implemented in a credible manner.

We are very supportive of the Greek Government in its plans to deal with a difficult economic and fiscal situation. This is primarily in the interest of Greek citizens, but also in the common interest of all eurozone countries and the entire EU. We are confident that the necessary measures will be implemented speedily and efficiently, and that the Greek authorities will succeed in overcoming the fiscal and macro-economic challenges they face.

Another important topic discussed at the European Council was the planned successor to the Lisbon strategy for growth and jobs — EU 2020, as it is currently called. The Lisbon strategy for growth and jobs, which has been in place since 2000, is due to expire this year. It encouraged member states to engage in a programme of wide-ranging structural reforms to enhance the growth potential of the EU economy. Before the global economic and financial crisis, the strategy had helped create more than 18 million jobs within the EU.

The Taoiseach's comments clearly outline the importance of this proposed strategy to deliver medium-term and long-term structural change in Europe. As he has highlighted, the reforms that this new strategy will involve are necessary to allow us to deal with many serious challenges. These include those being thrown up by demography and how to sustain the European social model, including pensions. There are also challenges of how to compete on a global level when many countries or regions continue to grow rapidly as we struggle, and the related environmental and energy challenges. The details of this new strategy will not be presented by the Commission until 3 March and will not be finalised until June. I am quite sure about that, however: the new strategy will not support a "business as usual" approach to structural reform.

Deciding on new policy priorities and structural changes will not, of itself, achieve results. Those policies and reforms must be implemented, in an effective and verifiable manner across the Union. This will be done through a reform agenda and framework which will ensure that it is pursued at EU, eurozone, member state and, where appropriate, regional levels.

Acting Chairman: A few more minutes are available in the Minister of State's slot.

Deputy Martin Mansergh: I may make a few extra points. The leader of the Labour Party correctly talked about the importance of Ireland as an exporting nation and referred to the need for increased demand. I believe he particularly had in mind countries that are running large balance of payments surpluses. While that is true, in addition to increased demand particularly from those countries that are well able to accommodate it, we need to improve and are in the process of improving our competitiveness.

There has been much discussion of stimulus packages which some countries are in a better fiscal position to implement. In our case as a small open economy, the danger — apart from any other consideration — is that much of the stimulus would go abroad. It also misses the point that the best stimulus we can give the economy is a fairly sharp correction to our competi-

tiveness. That relates to reducing our costs. Obviously in some cases reduction in costs would be beneficial and not painful, but in other areas for example in public service pay, which forms part of the overheads of Government, is quite painful. As we know, in much of the private sector, loss of jobs, and pressure on earnings and time worked, etc., are painful. There are relatively few sectors of the economy not experiencing pain at present. It is a necessary process that is part of the logic of eurozone membership.

We are excessively subject to what one might call monetary illusion. In the mid-1970s and mid-1980s we had substantial reductions in real wages, but these were concealed by inflation and devaluation. I have seen studies that showed there was a bigger loss in real incomes in the 1980s than today despite the fact that we now have nominal wage cuts. I would like to see the trade union movement, in particular, taking that on board and absorbing it into its thinking. We owe a great deal over the past 20 years to the broadly constructive attitude of the trade union movement, in particular, as well as other social partners. It is a pity that matters have gone the way they have, for the moment, and we all hope dialogue will resume, on a realistic basis.

I could not agree more with the leader of the Labour Party about the celebrity commentators and one or two others who argue that Ireland should leave the eurozone. There are, undoubtedly, speculative forces that are trying to attack or undermine the eurozone. However, it is a major step forward, with major long-term strategic advantages for this country. The measures we have taken over the past 18 months have been geared towards ensuring we maintain our position within the eurozone as well as our financial and economic independence.

At a regional policy meeting last week, I was sitting next to a Latvian Minister. The IMF has gone into Latvia and there has been a reduction of 50% in public sector wages. The government there has very little say about the measures proposed by the IMF; it simply has to carry them out. In the news today, I notice that the EU Commission either has or is just about to approve the opening of negotiations with Iceland. For a long time, Iceland was fiercely against belonging to the European Union, but it now sees the benefits.

I am somewhat curious about Sinn Féin's policy in relation to this. In the South it has been against all EU treaties, including the one that established the eurozone, but, in the North, part of its policy is that Northern Ireland should join the eurozone. All human life and policy is about overcoming one's internal contradictions, of course, as Marx once said, but I would be interested to know how that particular circle is to be squared.

I pay tribute to the generally constructive tone in the European debates we have in the House. All parties recognise the enormous importance of Europe for Ireland. Certainly, if one wants to see in the future, as I and many others do, a united Ireland on an agreed basis, this is only credible in a united Europe. Therefore, that is why I find the Sinn Féin Party's euroscepticism very odd in terms of reconciling it with its republican philosophy, because the type of national sovereignty people had between the two world wars, and which we struggled with until the end of the 1950s, has gone. Sovereignty is important and, as the German Constitutional Court said, the European Union is an association of sovereign states. I do not believe there are many states in Europe that want to alter the situation, but it means pooling and sharing sovereignty. We have infinitely more possibilities and potential in the situation as it exists now than, for example, 50 years ago when, although we were sovereign, we did not belong to any organisation, apart from the Council of Europe. Nobody else took much account of us.

It is very different today, when what we have been doing, not least in struggling with our economic difficulties, has achieved broad recognition to the effect that Ireland is on the right path and that we are doing the right thing. This model is being recommended for other countries to examine as well.

Communications (Retention of Data Bill) 2009: Order for Report Stage.

Minister of State at the Department of Foreign Affairs (Deputy Peter Power): I move: “That Report Stage be taken now.”

Question put and agreed to.

Communications (Retention of Data Bill) 2009: Report Stage.

Acting Chairman : Amendment No. 1 in the name of Deputy Sherlock arises out of committee proceedings and amendment No. 2 is related. Therefore, amendments Nos. 1 and 2 may be discussed together.

Deputy Seán Sherlock: I move amendment No. 1:

In page 5, line 2, to delete “2 years” and substitute “1 year”.

I am making the same arguments here as I did on Committee Stage. Looking at the legislation in the main, it is about the transposition of a directive which was completed in 2006. We have to look at the historical perspective and the fact that the directive was initiated as a result, in particular, of the Madrid bombings. It was a counter-terrorism response relating to that period. We are now in a situation where a number of years have past and we are moving towards the final transposition of that directive now. Our view is that some of the provisions in the Bill are excessive, particularly in relation to the length of time for which data must be retained.

The Minister of State’s justification for the Government’s position *vis-à-vis* the two-year retention period for telephony and the one-year retention period for Internet data is on the basis of security and counter-terrorism measures, as well as the detection of crime. We in the Labour Party understand that rationale and would not argue against it. In principle, we are not against the retention of data and believe that the directive must be transposed. However, we take issue with the manner in which it is being transposed and the length of time for which data must be retained, particularly in relation to ISP and telephone records, because we believe this will place an undue burden on business and that the costs could be prohibitive and reduce any future comparative advantage Ireland might gain through the Internet and telecommunications sectors.

I refer to the historical context of the transposition of a directive dating back to 2006 and any subsequent legislation enacted that has dealt with counter-terrorism or crime prevention measures more than adequately, including the Criminal Justice (Surveillance) Act and the recently passed Criminal Justice (Amendment) Act. The Labour Party is examining the permutations of the Government’s position, especially *vis-à-vis* the cost implication. I submit that placing on Internet service providers, ISPs, and telephony companies an obligation to store data for two years would result in an undue cost burden and would not have an impact on crime prevention in real terms or in terms of detection. I refer to the Minister’s submission on Committee Stage. He stated that the 12 month detention period for Internet data is very much in the mainstream and this is significant because the Internet is a relatively new technology. He further stated that it is accepted that the vast majority of disclosure requests which would arise as a result of the legislation relate to data less than three months old.

If the requests for data are, to use the words of the Minister on Committee Stage, for data less than three months old, then I submit that the Labour Party amendment, which seeks to substitute two years for one year and one year for six months, would be in line with his thinking in respect to the prosecution of a crime or any investigation pertinent to committing a crime. I further submit that if the legislation is passed and data is to be retained for two years hence, then on this day in two years time, that is, on 23 February or 24 February 2012, if someone

were to be investigated for a crime then I suggest any telephone call made on today's date, the content of which is unknown, or if a person logged on to a website in the intervening period of one year hereafter, it would impact in no way on whether one could suitably detect that any such communication was pertinent to any crime committed. The approach of the Government in terms of transposing the directive is that of a sledge-hammer being used to crack a nut.

I reiterate that we are not against the principle of data storage. We agree the directive must be transposed but we maintain the time periods are excessive and, contrary to the Minister's statement on Committee Stage to the effect that the legislation is in line with the mainstream, we believe it is against the European mainstream and that other countries have transposed the directive on the basis of time periods more in line with the proposal contained in the Labour Party amendment.

Minister of State at the Department of Foreign Affairs (Deputy Peter Power): I am pleased Deputy Sherlock and the Labour Party support the rationale and the fundamental basis of the legislation. However, it is a great leap to depart from the rationale behind the legislation to challenge the time limits for the two substantive reasons proposed. The first such reason is that the limits would put an undue burden on business and the second is that Ireland would lose a comparative advantage. I regret to say that in the case of both of these grounds no reasons have been given in respect of why the limits would interfere or represent an undue burden on business. No reasons have been given or reports cited. No evidence has been brought forward to suggest that Ireland would lose some form of comparative advantage. I suggest that once the principle is conceded, which I welcome, the time limits, whether six, 12 or 24 months, do not in any material way interfere with the burden on business. In other words, if one imposes an obligation on service providers to provide this information, whether one requests that they retain such information for six, 12 or 24 months in no way affects their ability to compete. It would not place an undue burden on business. I cannot see the connection between supporting the broad thrust and principle of the Bill and opposing it on the basis that it imposes an undue burden on business.

A point was made that the availability of information to the Garda some 23 months after a crime was committed would be helpful in respect of solving a crime. To my knowledge in respect of criminal investigations, the availability of information for in excess of 12 months has been invaluable to the Garda in helping to solve and to bring forward successful prosecutions. To reduce the time limits set out in the legislation would impede the Garda's ability to investigate a crime and bring forward prosecutions. That is the reality. To suggest otherwise amounts to trying to have one's cake and eat it.

The purpose of the substantive amendments is to reduce the periods for which the telephony operators and Internet service providers will be obliged to hold data. The proposed amendments have already been debated in detail on Committee Stage. From the Government's perspective, the position outlined at that stage in respect of its inability to accept them has not changed. To put it bluntly, accepting these amendments would seriously hamper the law enforcement authorities in their efforts to gather the quality of evidence that could make a significant contribution towards bringing serious criminals to justice, including terrorists. The Labour Party maintains it supports the principle and concept of data retention. Once that principle is conceded, one must rely on the expert and professional advice and recommendations from the Garda Síochána to the effect that the time limits set out would assist them in solving crime.

I refer to the second amendment. The preparation of the Bill involved extensive consultations between officials from the Department of Justice, Equality and Law Reform, the service providers, their representative associations and the Garda Síochána. During these consultations,

[Deputy Peter Power.]

the issues of retention periods, the nature of the information to be retained and the State's position on costs were discussed and clearly set out to all parties. I acknowledge that in the context of non-reimbursement of costs not everyone is satisfied with the retention periods, but all concerned accepted the importance of data as an essential weapon in fighting serious crime and agreed to co-operate fully to ensure the success of the legislation.

I also acknowledge that our retention period for telephony data is higher than the average for other member states. Member states of different traditions and practices may take differing views concerning the retention of data and the directive grants member states the discretion of selecting the retention periods.

Debate adjourned.

Sitting suspended at 1.30 p.m. and resumed at 2.30 p.m.

Message from Select Committee.

An Leas-Cheann Comhairle: The Select Committee on Communications, Energy and Natural Resources has completed its consideration of the Inland Fisheries Bill 2009 and has made amendments thereto.

Ceisteanna — Questions (Resumed).

Priority Questions.

Defence Forces Strength.

60. **Deputy Jimmy Deenihan** asked the Minister for Defence if, in view of the fact that a new authorised minimum strength of 10,000 personnel has been agreed for the Defence Forces, the organisation has sanction for continuous recruitment as required to ensure that numbers are maintained at that level; and if he will make a statement on the matter. [9539/10]

Minister of State at the Department of the Taoiseach (Deputy Pat Carey): Within the available resources, the Government is committed to maintaining the strength of the Defence Forces, of all ranks, at a level of 10,000, for which Government approval has been secured in the context of budget 2010. This reflects the reductions in personnel recommended in the report of the special group on public service numbers and expenditure programmes.

I am advised by the military authorities that the strength of the Permanent Defence Force as at 31 January 2010 was 9,906, comprising 8,070 Army, 805 Air Corps and 1,031 Naval Service personnel.

As the numbers in the Permanent Defence Force have dropped below 10,000, recruitment will be carried out in 2010 in order to bring the numbers back to this level. Details of the recruitment campaign for 2010 in regard to the numbers of general service recruits and the commencement of any such recruitment campaigns are not yet available. Planning for this process is under way.

I intend, with the support of the chief of staff and within the resources available, to retain the capacity of the organisation to operate effectively across all roles while contributing to the necessary public service economies.

I am advised that at this time the Defence Forces retain the capacity to undertake the tasks laid down by the Government at home and overseas.

Deputy Jimmy Deenihan: I welcome the Minister of State at the Department of the Taoiseach, Deputy Pat Carey. I had hoped he would be here as Minister for Defence. I am disappointed the Taoiseach, who has now assumed responsibility for the Ministry for Defence, is not present to take questions. He is now acting Minister for Defence and should be here to answer some very important questions. I hope sincerely the Minister of State, Deputy Pat Carey, will be here as Minister for Defence at our next Question Time.

I am glad the Minister of State has confirmed the new authorised strength of the Defence Forces is 10,000. It is very important that the strength be maintained at this level. Considering that it has been confirmed by the Government and Department of Finance, should it not be open to the Defence Forces to commence recruitment immediately to maintain a strength of 10,000? Surely no moratorium should apply to recruitment to and promotion within the Defence Forces.

Deputy Pat Carey: I thank Deputy Deenihan for his good wishes. I have been asked to respond to these questions and I will do so to the best of my ability.

The Government is committed to maintaining the strength of the Defence Forces at the level outlined. As Deputy Deenihan will know, a review of Defence Forces' structures is under way and it will inform the timing of the recruitment campaign. The Government is committed to the recruitment campaign for 2010. The question of whether there will be a cadet competition and an apprenticeship competition has not yet been decided but planning for the process is under way. I assure the Deputy everything will be done to ensure this is done as quickly as possible within the constraints every other part of the public service operates under.

Deputy Jimmy Deenihan: I remind the Minister of State that, during the last Question Time, the former Minister for Defence made a commitment to us that he would be recruiting between 530 and 540 personnel and that the process would commence immediately. Will he confirm that this number will be recruited?

Deputy Pat Carey: The Government has given approval in the context of budget 2010 to maintain the strength of the Defence Forces at all ranks at 10,000. As I stated, the recruitment campaign will be initiated in line with what the former Minister stated.

Deputy Jimmy Deenihan: Does the Minister agree that the Defence Forces should have automatic authorisation to recruit immediately in view of the fact that the strength has been agreed?

Deputy Pat Carey: Yes, but the need to keep the expenditure of the Defence Forces in line with public service commitments will have to be adhered to. I assure the Deputy that the commitments that have already been made by the Government, in consultation with the representative bodies, will be adhered to. The focus will be on the operational capability of the Defence Forces in whatever decisions are taken.

The Deputy will be aware of some of the exemptions from the moratorium on recruitment that have been secured by the former Minister. The Minister for Finance's approval was received for the recruitment of 42 Army and Naval Service cadets in 2009. Sanction was also received to fill the post of deputy chief of staff (operations), two posts at brigadier general level, and the post of director of military prosecutions by way of promotion. The promotion of ten NCOs, whose promotion had commenced prior to the moratorium, has proceeded and sanction for 100 acting-up posts to service operational requirements, both at home and overseas—

Deputy Jimmy Deenihan: The former Minister for Defence announced that in the *Irish Independent* before the last Question Time.

Departmental Expenditure.

61. **Deputy Brian O'Shea** asked the Minister for Defence the amount paid by the banks for cash escort services provided by the Defence Forces during 2009; if he is satisfied that this covers the full cost of the service provided; if there are plans to seek an increased contribution from the banks; and if he will make a statement on the matter. [9378/10]

Deputy Pat Carey: A formal five-year agreement made between the Irish Banking Federation, its member banks and the Department of Defence and signed on 11 May 2005 provides that the banks pay the total actual costs incurred by the Defence Forces in the provision of cash escorts.

The costs charged to the banks comprise the following: the total salary costs including allowances, pension contributions and PRSI of the military personnel assigned to carry out cash escort duties; subsistence payments to military personnel directly engaged in the duties; the operation and maintenance costs for vehicles used for the purposes of cash escorts, on a per-mile basis, calculated in accordance with Civil Service standard methodology for the calculation of mileage rates for specific vehicle types; and the operation and maintenance costs for aircraft deployed in support of cash escort operations.

Costs in respect of each 12-month period to the end of December are paid the following year on or before 1 June. This is to allow for the compilation of returns from the brigades and allocation of costs following the year's end.

Prior to this initiative, it had been the case that an annual contribution of €2.86 million was paid by the banks to the Department in respect of the provision of cash escorts. The contribution from the banks was designed to cover in part the total costs to the State of providing cash escorts. The amounts received from the banks in respect of the years 2005 to 2008 are as follows: 2005 — €6.03 million; 2006 — €6.47 million; 2007 — €7.34 million; and 2008 — €7.45 million. The total costs due for 2009 are being calculated in the Department at present.

Negotiations on a new agreement with the banks to replace the current agreement will take place with the IBF and the banks later this year. In the policy changes outlined in the budget for 2010, it was indicated that appropriations-in-aid will be increased, including through charging An Post, the Central Bank and other organisations for services on the same basis as the banks. The Central Bank has agreed to pay for costs incurred by the Defence Forces in providing security services. Similar to the agreement with the banks, the amount due in respect of 2009 will be paid on or before 1 June 2010. Initial contact has been made with the other organisations, including An Post, which receive similar services from the Defence Forces with a view to reaching agreement on costs relevant to the respective bodies.

Deputy Brian O'Shea: I, too, welcome the Minister of State. I hope that if somebody is being appointed to the Cabinet, he will be chosen. Indeed, if there is a wider Cabinet reshuffle, I hope he will find his deserved place.

With regard to the cash escorts provided by the Army, can the Minister tell us the value of the cash carried? I note the IBF members are paying 78% of the total costs to be paid by the banks. Are all the banks included? Is other money being conveyed around the country for which the State is not asked to provide cash escorts?

Deputy Pat Carey: I thank Deputy O'Shea for his remarks. I do not have the information he seeks with me but I will try to find it. I have details of how many escorts are provided and

I can provide the Deputy with a breakdown of costs but I do not have details about the amount of cash being transported by the escorts or a breakdown by banks.

Deputy Brian O'Shea: Is there an estimate of the additional moneys that will accrue to the State on foot of the new five year agreement that is due to commence and under which other agencies such as An Post and the Central Bank will also be paying?

Deputy Pat Carey: Agreement has only recently been reached with the Central Bank. Initial contact was made with the three organisations I mentioned and the Central Bank was the first to respond. Following a meeting with departmental officials, agreement was reached on the calculation of the amount due and the methodology of payment. Departmental officials are in the process of agreeing dates on which to meet to discuss the payment of the cost with representatives of the other organisations. As I mentioned, a preliminary meeting has taken place with representatives of An Post and further meetings are planned. That is as much detail as I am in a position to supply at present.

Irish Red Cross.

62. **Deputy Jimmy Deenihan** asked the Minister for Defence the number of complaints and concerns about governance and management issues at the Irish Red Cross brought to his attention since 2007; if his assistance was sought to deal with these issues; the actions he took to deal with these complaints; if complaints focused on the actions or inactions of any of his nominees to the central council; and if he will make a statement on the matter. [9540/10]

63. **Deputy Brian O'Shea** asked the Minister for Defence the reason for the continuing delay in the appointment of a new chairperson to the Irish Red Cross; and if he will make a statement on the matter. [9379/10]

Deputy Pat Carey: I propose to take Questions Nos. 62 and 63 together.

The Irish Red Cross Society is an autonomous body, established by the Irish Red Cross Society Order 1939 pursuant to the Red Cross Act 1938. The society is an independent charitable organisation with full powers to manage and administer its affairs through its governing body, the central council. Membership of the central council is by way of appointment by the Government or by election in accordance with the rules of the society.

The issue of governance has been the subject of consideration by a temporary working group in the society since February 2008. The chairman of the temporary working group presented the findings to the central council of the Irish Red Cross Society at a meeting held at the end of November 2009. The report was received in the Department of Defence at the end of January 2010. Officials in the Department of Defence met recently with officials in the Irish Red Cross Society to discuss the contents of the report and the implications of the recommendations arising from the report.

One of the proposals emanating from the report relates to the appointment to the position of chairperson of the society. In accordance with Article 9 of the Irish Red Cross Society Order 1939, the chairman of the Irish Red Cross Society shall be a member of the central council and shall be nominated by the president of the society. The Red Cross Act 1944 provides that the President of Ireland shall by virtue of her office be president of the society. The Government has not yet put forward a name to the President to replace Mr. David Andrews who retired from the position of chairperson on 31 December 2009. In the interim, the vice chairman of the society acts as chairman.

The contents of the governance report and the likely and consequential impact on both primary and secondary legislation of the findings of the report will be the subject of inter-

[Deputy Pat Carey.]

departmental and inter-agency discussion. These discussions will involve the Departments of the Taoiseach, Foreign Affairs and Defence, the Irish Red Cross Society and the International Federation of Red Cross and Red Crescent Societies. Thereafter, the Minister for Defence will bring before Government any statutory changes deemed necessary.

In June 2007, a letter from staff members to the chairman about internal society matters was circulated to members of the central council, one of whom is an official from my Department. The Minister also received an anonymous letter in October 2008 from a person purporting to be a member of the central council of the Irish Red Cross Society, who was concerned about governance and procedures within the society. In March 2009, the Minister for Defence received correspondence from a member of the central council who informed the Minister of her decision to resign from the council of the society. In the letter, the council member expressed concerns about governance, accountability and transparency issues within the society. The issues raised in the aforementioned correspondence are wide ranging and are primarily matters which should be resolved internally by the society.

In nominating persons to the central council, the Government considers that it is highly desirable that the society should have on its governing body professional people with a wide variety of knowledge and expertise, gained through work experience in both the public and private sector and volunteer experience with the society. The Minister for Defence is anxious to ensure that all his dealings with the society are conducted in accordance with the society's basic principle of independence from Government.

Deputy Jimmy Deenihan: The problems of the Irish Red Cross Society are systemic and appear to be escalating. It is not today or yesterday that these problems were made public. In 1999, a group of Irish Red Cross Society employees went public on RTE about them. That is a long time ago. In the period since then, five secretaries general have retired or resigned. In an international rating of Red Cross Societies across the world, the Irish Red Cross Society was given a mark of four, with one being the best and five the worst. Does the Minister not consider it a cause for concern that in the past six months three Government appointees and one Government employee have resigned from the Irish Red Cross Society? They are distinguished people: Mr. David Andrews, Judge Rory McCabe, barrister Ms Jenny Bulbulia and a highly respected civil servant whom all Members have encountered in the course of his work, Mr. John Roycroft. This is surely worthy of investigation. I call on the Taoiseach, who is now the acting Minister for Defence, to initiate such an investigation immediately. It could be conducted by a high ranking official of his Department or of the Department of Defence, but it must be done.

Deputy Pat Carey: Before I was asked to take these questions I was already aware of some of the issues Deputy Deenihan has mentioned. The issue of Government participation in the running of the society was last raised in 1996 by the president of the International Committee of the Red Cross. It was subsequently raised with the society directly by the International Committee of the Red Cross. The matter was referred back to the Irish Red Cross Society to bring forward any proposals it considered necessary for consideration. No such proposals were received from the Irish Red Cross Society on foot of that referral. Any proposals for the reorganisation of the governance and management arrangements of the Irish Red Cross Society are a matter for the society in the first instance. The issue of the appointment of a secretary general to the society has been raised. I understand that the former secretary general, who was on secondment from the Department of Justice, Equality and Law Reform, has returned to that Department. It is now a matter for the society to decide how that position is to be filled. There are issues and I will raise them with the Taoiseach.

Deputy Brian O'Shea: I have raised this issue on many occasions. I am continuing to receive a considerable number of representations. The Irish Red Cross is an important organisation and is part of our national life. It has contributed to projects overseas and at home. I understand quite a number of young people are being recruited into it. The continuing bad publicity is not helping matters. I understand the review group report on the governance of the organisation stated the society's general council would be replaced by an elected general assembly and that a chairperson would be elected by the general assembly. I do not know if a decision has been taken on that matter, in the context of the legislation which must come before the House. My concern is that there is a need for a chairperson who can do a job and grasp the issues which have to be addressed in the society. No matter how good the person is, unless the governance framework is in place this cannot happen. It seems to me that what the Minister of State outlined, namely, the number of consultations which are taking place, that this process will go on forever. That is not good enough. This matter needs to be urgently addressed.

Deputy Pat Carey: It is important that the relationship between the Government and the society is clearly stated. The order establishing the society sets out its primary objects and powers which include acting, as Deputy O'Shea said, as a voluntary aid society in times of war and peace. The 1938 Act permits payment to the society by way of grants. The society has certain rights under the Geneva Convention and the Members of the House understand what they are. The Minister for Defence has no responsibility for the day-to-day running of the organisation. In terms of addressing staffing issues, there is no role for the Minister. It is one which much be addressed in the normal employer-employee relationship between the Irish Red Cross and its staff. However, as we are all aware many organisations are currently faced with financial difficulties and the society is no different. As an employer it must consider all options in order to maintain its financial viability. To that end, I have no doubt it will consider all remedial steps it considers necessary, in terms of minimising staffing costs. On the appointment of a chairman, as I said in my initial reply while no nomination has yet been brought forward by the Minister for Defence to the Government, it can be anticipated that it is a matter which will receive the urgent attention of the new Minister.

Deputy Jimmy Deenihan: I wish the previous Minister the best of luck in his future in Limerick. I am not taking issue with the Minister of State; he has read replies which are prepared for him. However, I take issue with the previous Minister when he told us he could not get involved. He was incorrect in his assertion that he or the Government could not get involved. That is why I went to the trouble of looking up the Red Cross Act 1938, which clearly states the Government can get involved. Section 1(2) states:

The Government may by the establishment order make provision in relation to all or any of the following matters, that is to say:—

- (a) the powers of the Society;
- (b) the organization of the Society;
- (c) the management and administration of the affairs of the Society by a governing body

The Minister or the Government has the right, under legislation, to get involved. The Geneva Convention has been used as a excuse not to get involved, but it does not prevent the Government or Minister from getting involved.

I am sure the Minister of State will agree that a large amount of Government funding is involved, some €960,000. The main support of the Irish Red Cross is the Government. Surely, that behoves the Minister or Government to ensure the money concerned is spent properly

[Deputy Jimmy Deenihan.]

and there is proper governance in the Irish Red Cross in order to ensure the money is spent properly. I ask the Minister of State to clarify the provisions in the Act. He raised the issue.

An Leas-Cheann Comhairle: The Deputy has made his point.

Deputy Jimmy Deenihan: There may be a note——

An Leas-Cheann Comhairle: Please, let the Minister of State reply.

Deputy Jimmy Deenihan: ——to clarify why we cannot intercede, based on the provisions in the Act.

Deputy Pat Carey: The 1939 order, which is pursuant to the Red Cross Act 1938, sets out the basis on which the society shall be governed. It provides that there shall be a central council which elects the powers of the society, organises the society and controls and manages the affairs of the society. Membership of the central council is by way of an appointment by the Government or election in accordance with the rules of the society. The central council, in turn, elects, on an annual basis, an executive committee which normally meets ten times a year. It is quite clear, as I read it——

Deputy Jimmy Deenihan: I have the Act here.

Deputy Pat Carey: ——that the role of the Minister is very much circumscribed by that. It is true that a figure of €951,000 was paid in 2009 to the society. The Minister is of the view that the method of governance of the society and its relationship with the Government is one which is circumscribed by the founding legislation.

Deputy Brian O'Shea: I ask the Minister of State to convey our concerns to the Taoiseach, who is the acting Minister for Defence. It is reported a document was prepared by the Department which showed the accounts for the year ending 30 September had a domestic deficit of €650,000. The problem we have is the organisation is in drift. There are those who say the recommendations in the internal review group report do not go far enough. This must be caught by the scruff of the neck. The longer this matter drifts, the more damage is done to a very important national organisation.

Deputy Pat Carey: The Government, which is the acting Minister, is acutely conscious of the need for good governance in all organisations, including the Irish Red Cross. I am certain measures will be taken to ensure whatever levels of compliance are required will be adhered to.

Defence Forces Strength.

64. **Deputy Jimmy Deenihan** asked the Minister for Defence if discussions have taken place with a view to any downsizing of the Defence Forces, the merging of brigades and other units of the Defence Forces; the nature of decisions taken; the nature of proposals made as to any restructuring; the predicted cost savings that would result from any mergers or downsizing; the implications for facilities needed by the Defence Forces; and if he will make a statement on the matter. [9286/10]

Deputy Pat Carey: The Defence Forces have improved in every respect since 2000 through the implementation of the White Paper. Arising from the White Paper on Defence, a modern well-equipped Defence Forces has been created capable of meeting the needs of Government and the public and ensuring value for money. The White Paper on Defence set out a figure of 10,500 personnel for the Permanent Defence Force as the strength sufficient to deliver on the

roles laid down by Government for domestic operations and to provide a sufficient pool for rotation for overseas missions as well as maintaining sufficient depth across the required range of skills.

Notwithstanding the success of the White Paper, we are now in challenging times. The economic reality is such that the Defence Forces must contribute to the correction of the public finances. It is intended, with the support of the chief of staff and within the resources available, to retain the capacity of the organisation to operate effectively across all roles. I am aware of the impact of the moratorium on the Permanent Defence Force, in particular in light of the very high turnover rate that is part of any military organisation. Within the available resources, the Government is committed to maintaining the strength of the Defence Forces at a level of 10,000 for all ranks, which I stated in a previous reply, for which Government approval has been secured in the context of the budget for 2010. This reflects the reductions in personnel recommended in the report of the special group on public service numbers and expenditure programmes.

Officials from the Department are continuing to engage with the military authorities in a review of structures and posts required to meet the operational requirements of the Defence Forces in light of the Government decision to maintain a complement of 10,000 personnel. It is expected that this review will be completed in March. It would, therefore, be inappropriate for me to comment on the outcome of the review at this stage. Following on from this review, discussions will commence with the Department of Finance to agree an overall structure for the Defence Forces, which is sustainable within a figure of 10,000 serving personnel in the Permanent Defence Force.

3 o'clock

I am glad to say that while these are challenging times, the Defence Forces have risen to the challenge and are organised, equipped and staffed in a manner which will ensure that they can continue to deliver the services required of them by Government. I am advised that at this time the Defence Forces retain the capacity to undertake the tasks laid down by Government at home and abroad.

Deputy Jimmy Deenihan: I have been advised that there have been serious discussions — I do not know whether the Minister of State can confirm this — about further downsizing the Defence Forces. In other words, downsizing them by stealth. If that happens might it lead to a reduction in the present number of brigades, namely, three, and to units within the Defence Forces? For example, I heard that the cavalry and artillery units will be merged. Can the Minister of State confirm that this will happen?

Deputy Pat Carey: Regarding the merging of brigades and other units, a review of the organisation of the Defence Forces is timely. The numbers will be maintained at 10,000. A sustainable structure to match this strength will ensure a continuation of the current excellent level of service. As I stated already, it would be inappropriate for me to comment on the outcome of the review which has not yet been completed.

Regarding possible closures or further downsizings, the closure of barracks and the consolidation of Defence Forces formations into a smaller number of locations is a key objective of the 2009 White Paper on Defence. Four barracks were closed — Monaghan, Longford, Rockhill and Lifford. The Government has made no decision in regard to any other barracks nor are further closures under its active consideration at this time.

Deputy Jimmy Deenihan: Has the Minister of State any information on the merging of units, for example, the cavalry and artillery units? Because the Defence Forces are being downsized it is obvious that new structures are needed. However, does this mean the Defence Forces will

[Deputy Jimmy Deenihan.]

be able to recruit and appoint positions at officer level? Will they be given the freedom to do that?

Deputy Pat Carey: The Government remains supportive of the Defence Forces and their personnel. The modernisation delivered by the defence organisation has been acknowledged. The defence organisation differs from other areas of the public service in having decreased in size. The Defence Forces remain modern and effective and it is intended to retain the operational capacity of the organisation across all its roles. At the same time, the defence organisation must contribute to the correction of the public finances.

I am aware of the impact that measures such as a moratorium on recruitment, promotion and acting appointments are having on the Defence Forces in the light of the very high turnover rate that is part of any military organisation. However, the moratorium is a crucial part of the Government's approach to bringing public expenditure back into balance. In the light of the exaggerated impact of the measures on the Defence Forces, however, certain targeted exceptions are being sought to the measures. These limited exceptions are targeted at maintaining the operational capability and command arrangements of the Permanent Defence Forces. There has been very close consultation with the Chief of Staff at all stages.

Other Questions.

Departmental Offices.

65. **Deputy Michael Creed** asked the Minister for Defence the nature of the office arrangements that will be put in place to facilitate his presence in Dublin when the Houses of the Oireachtas are in session in view of the move of the departmental headquarters from Dublin; the costs of such new office arrangements; the staff numbers required to facilitate his presence and the ancillary costs; and if he will make a statement on the matter. [9293/10]

Deputy Pat Carey: The headquarters of the Department of Defence is being decentralised to Newbridge, County Kildare. A new building to accommodate the Department is currently under construction and will be ready for occupation in the summer. The building will provide accommodation for the civil servants in the Department who are currently based in Dublin, together with a number of military personnel. The Secretary General and the Chief of Staff, together with their respective senior civilian and military colleagues, will also be relocated to Newbridge. As this will be the headquarters of the Department, the office of the Minister will also be based there. In line with normal practice for Ministers, the Minister will retain an office in Leinster House. No new office arrangements or staff are being put in place to facilitate the Minister's presence in Dublin and, therefore, no costs arise.

In order to facilitate the conduct of business at the Houses of the Oireachtas and other business engagements in Dublin, it has been decided that officials of Departments whose headquarters are decentralised should have access to office accommodation in close proximity to the Houses of the Oireachtas. The Office of Public Works has provided accommodation to the Department of Defence for this purpose at Phoenix House, South Leinster Street.

Deputy Jimmy Deenihan: That seems to be another Irish solution whereby the Government closes one office and creates two others. The new accommodation is obviously provided free of charge but renovations will have to be carried out. Recently, it cost €200,000 to renovate an

office for the former Taoiseach in Molesworth Street. What will be the cost of renovating the new offices for the officials in this instance?

Deputy Pat Carey: The accommodation which is being provided in Phoenix House consists of four cellular offices, an open plan space and a meeting room. Although the cost of the accommodation will be borne on the Vote of the Office of Public Works, I understand the building is leased and the lease will expire in 2012. This accommodation became available when the previous occupant vacated a space and thus a new lease was not required. I understand that the long-term plan is that requirements of this nature from all Departments and offices for temporary space on an occasional basis will be accommodated in Agriculture House.

I emphasise that the accommodation will not be occupied on a permanent basis. It is for the temporary use of senior civilian and military officials while on business in Dublin.

Deputy Jimmy Deenihan: Is the cost mentioned in the brief? I asked for that.

Deputy Pat Carey: No.

Deputy Jimmy Deenihan: Obviously, it will cost something.

Deputy Pat Carey: It is incorporated in the Vote of the Office of Public Works. I shall attempt to find the information for the Deputy.

Deputy Brian O'Shea: Is it envisaged that the temporary or part-time accommodation being provided in Dublin will be in use at times other than when the House is in session, or is it intended to have officials present to brief the Minister while the House is in session and that otherwise the Minister will work at his or her office in the new building in Newbridge?

Deputy Pat Carey: It is my understanding that the office will be used only when officials required to be available to the Minister need to be adjacent to Leinster House and that otherwise the Minister will be based in the office in Newbridge.

Deputy Jimmy Deenihan: I hope the next Minister will actually use his offices because the previous Minister did not visit his office on too many occasions.

An Leas-Cheann Comhairle: Too many questions.

Deputy Jimmy Deenihan: Will the Minister use his office?

Deputy Pat Carey: Signals are a very important part of military life. I will not be drawn.

Defence Forces Recruitment.

66. **Deputy Damien English** asked the Minister for Defence the number of women in the Defence Forces as of today in view of the forthcoming anniversary of the implementation of the Defence (Amendment) (No. 2) Act 1979, which enabled women to join the Defence Forces; the percentage proportions of women in the Defence Forces in 1985, 1990, 1995, 2000, 2005 and 2010; the equivalent proportions among equivalently sized armies in the European Union; if he is satisfied with the number of women in the Defence Forces; his plans to increase the proportion of women joining the Defence Forces; if he is further satisfied that all necessary changes have been made to ensure the Defence Forces provides a supportive environment for all Defence Forces members irrespective of gender; and if he will make a statement on the matter. [9306/10]

Deputy Pat Carey: The number of female personnel serving in the Permanent Defence Forces on 31 January 2010, the last date for which figures are available, was 565, of which 461 were serving in the Army, 32 in the Air Corps and 72 in the Naval Service. In terms of ranks the breakdown of female personnel serving on 31 January 2010 was 143 officers, 169 non-commissioned officers and 253 privates. The percentage of female personnel serving on 31 January was 5.7% of overall strength of the force on that date.

The percentage of female personnel serving on 31 December 1985, 1990, 1995, 2000 and 2005 was as follows: 31 December 1985, 60 or 0.42%; 31 December 1990, 99 or 0.75%; 31 December 1995, 186 or 1.47%; 31 December 2000, 433 or 4.08%; 31 December 2005, 527 or 5.04%.

The Government is committed to a policy of equal opportunity for men and women throughout the Defence Forces and to the full participation by women in all aspects of Defence Forces activities. Unlike many other national armed forces, the Defence Forces have no restrictions as regards the assignment of men or women to the full range of operational and administrative duties. All promotions and career courses are open to both genders on merit.

My Department does not have access to statistics regarding the percentage of female members in other national armed forces.

The Defence Forces prides itself on providing a gender neutral working environment. Policies on equality are being constantly communicated to all ranks. The military authorities are alert and vigilant to this issue and are committed to addressing this matter in a continuing and proactive manner.

Deputy Jimmy Deenihan: I thank the Minister of State for his reply. The statistics came out fast so I did not pick them all up. There are two points in this regard. When the height requirement was reduced there was an expectation of a greater entry by women into the Defence Forces. That has not happened. In comparison to other countries, in particular the United States, we do not seem to attract the same numbers of women into the Defence Forces. If the Minister of State has the information to hand, will he say what additional incentives are being provided in order to attract young females into the Defence Forces?

One of the principal requirements in this regard, for example, was for the Defence Forces to provide a crèche in the Curragh. The former Minister set up a committee to consider that, which reported and made a strong recommendation. There is a crèche in Leinster House for a smaller number of people whereas there are 2,000 people in the Curragh. Will the Minister of State tell us the status of that crèche at present? Is there a programme for visiting schools in order to promote the Defence Forces among schoolchildren?

Deputy Pat Carey: On the last point, I note that all four of us present come from a teaching background. In my experience, while I would not say there is marked reluctance on the part of career guidance staff to encourage girls to join the Defence Forces, I agree this makes it all the more important——

Deputy Jimmy Deenihan: That makes that case that they should promote and sell it in the schools.

Deputy Pat Carey: I agree wholeheartedly and believe it is something we should strongly encourage.

With regard to the steps that have been taken to provide a supportive environment for Defence Forces members, the development and maintenance of a positive and supportive work environment is a key objective of the Defence Forces management. In recent years, a range of measures has been introduced, including the recommendations of the independent monitoring

group as part of the modernisation agenda of the Defence Forces. Among the key steps taken are a charter committing all ranks to supporting a service environment that encourages and supports the right to dignity at work.

A major educational awareness programme is ongoing throughout the Defence Forces, backed up by a new administrative instruction on interpersonal relationships. Some 232 designated contact persons have been fully trained and are deployed throughout all Defence Forces posts and barracks, both countrywide and overseas. These designated contact persons facilitate the operation of the formal and informal procedures that may be used by any party wishing to institute a complaint, for example, an independent confidential freefone helpline and counselling service was set up for members of the Permanent Defence Force in March 2003.

Further review and implementation of the recommendations was conducted by the independent monitoring group and reported on in December 2008, with the group making in excess of 40 recommendations. The report confirms that the culture of the Defence forces organisation is evolving positively. It notes that organisational developments within the Defence Forces are a tribute to the vision and work of senior management and acknowledges the commitment and input of all personnel in affecting significant change.

As Deputy Deenihan rightly said, in 2006, the minimum height requirement for joining the Defence Forces was reduced from 5' 4" to 5' 2", which increased the potential recruitment pool of females from 60% to 90% of the female population. In 2007, the Department of Defence received a report from TNS-MRBI entitled "Retention and Recruitment of Women in the Defence Forces". This research was commissioned with a view to identifying areas where action could be taken to maximise the number of women applicants to the Defence Forces.

Deputy Brian O'Shea: If I understand the figures correctly, the number of women in the Defence Forces has gone from 0.42% in 1985 to 5.7% at present.

Deputy Pat Carey: It was 5.04%, or 527 persons, in 2005. The relevant figures for the years in question are 60, 99, 186, 433 and 527.

Deputy Brian O'Shea: What strikes me about the figures the Minister of State has provided as of 31 January 2010 is that there is a higher proportion of women at officer level than at either NCO or private level. Is it correct that there is a higher percentage at officer level? Is this a conscious policy that is being implemented by the Defence Forces? Have the Defence Forces targets they wish to reach? If so, is there a timescale for achieving them?

Deputy Pat Carey: I will give the total figures. For female officers, there are 111 in the Army, five in the Air Corps and 23 in the Naval Service, giving a total of 139. For female non-commissioned officers, there are 145 in the Army, 15 in the Air Corps and nine in the Naval Service, giving a total of 169. For female privates and cadets, there are 194 privates and 12 cadets in the Army, 12 privates and one cadet in the Air Corps and 34 privates and six cadets in the Naval Service, giving a total of 240 privates and 19 cadets. There are two female officers in the rank of lieutenant-colonel, one of whom is currently serving in an acting capacity as colonel and filling the post as director of the Medical Corps.

All competitions for promotion within the Defence Forces are open to all qualified members, both male and female. The determining factor when deciding between candidates for promotion is their qualification for the post in question and gender is not a factor.

An Leas-Cheann Comhairle: I will allow Deputy Deenihan to ask a brief supplementary question.

Deputy Jimmy Deenihan: It is an important matter.

An Leas-Cheann Comhairle: They are all important.

Deputy Jimmy Deenihan: Some 25% of the Reserve Defence Force comprises women whereas only 5.7% of the Permanent Defence Force are women, which is a major difference. Will the Minister of State look to the RDF to provide incentives for women to transfer to the PDF?

With regard to future recruitment, how many women will be recruited or has a quota been set to improve the figures? Finally——

An Leas-Cheann Comhairle: The Deputy has asked eight questions in total.

Deputy Jimmy Deenihan: Some 8% of the complaints made by Defence Forces personnel to the Ombudsman were from women. Is this proportionate to the number of women who have left the organisation?

Deputy Pat Carey: With regard to the targets for females, the Defence Forces is an equal opportunities employer and all competitions for entry to the force are run on the basis of equality principles. When recruiting to the Defence Forces, recruitment is always undertaken to ensure the most suitable and qualified candidates come to the fore and gender does not play any role in how such posts are filled.

I take Deputy Deenihan's point that further efforts should be made, including promoting the Defence Forces through career guidance exhibitions, visits to schools and so on, which is important. I was involved in two commissioning ceremonies of the Reserve Defence Force. I noticed there was a much better balance between the sexes at those ceremonies than I had seen at other ceremonies.

Overseas Missions.

67. **Deputy Pádraic McCormack** asked the Minister for Defence if his attention has been drawn to the fact that the Government of Chad has called for the withdrawal of the military element of the UN force in Chad; the implications such a withdrawal would have for the Defence Forces, particularly in view of the recent decision to significantly reduce the number of Defence Forces personnel serving in Kosovo; and if he will make a statement on the matter. [9336/10]

72. **Deputy Michael D. Higgins** asked the Minister for Defence the discussions he has had with the Department of Foreign Affairs regarding a report by Amnesty International on violence against refugee women in eastern Chad; the actions that have emanated from those discussions; and if he will make a statement on the matter. [9180/10]

76. **Deputy Denis Naughten** asked the Minister for Defence if he is satisfied with the level of back-up support being provided to Irish troops in Chad; and if he will make a statement on the matter. [9167/10]

92. **Deputy Seán Sherlock** asked the Minister for Defence if the Irish contingent on peace-keeping duties in Chad will be maintained at its present strength throughout 2010; and if he will make a statement on the matter. [9189/10]

Deputy Pat Carey: I propose to take Questions Nos. 67, 72, 76 and 92 together.

Ireland currently has 420 personnel serving with the United Nations Mission in the Central African Republic and Chad, MINURCAT. The UN mandate for this mission is due to expire on 15 March 2010. The question of the renewal of the mandate and the duration of any such renewal is currently under discussion at the UN and discussions in this regard are also ongoing with the Chadian authorities.

I am aware that President Déby has written to the UN Secretary General suggesting that the MINURCAT mission should be brought to a conclusion and withdrawn. It will be a matter for the Security Council to decide how and when a mission should be concluded.

Subject to renewal of the mandate by the UN Security Council, Ireland is committed to maintaining the Defence Forces contingent in Chad with MINURCAT for at least another year. However, should the UN mandate end, the Defence Forces will withdraw, and it is envisaged that a period of consolidation and renewal would be allowed for training and equipment maintenance before the Defence Forces would undertake a further mission. The costs of repatriation of Irish troops and equipment from MINURCAT would be met by the UN.

Ireland is currently contributing 759 Defence Forces personnel to 11 different missions throughout the world. The number of Defence Forces personnel deployed overseas will reduce to approximately 510 personnel in the second half of 2010 due to plans to reduce Ireland's contribution to the EU-led mission in Bosnia and Herzegovina and the NATO-led mission in Kosovo. In the event that the Irish contingent is withdrawn from Chad, it would further reduce Ireland's commitment to overseas peace support operations to approximately 100 by the end of this year.

I am satisfied that the required logistical support of Irish troops currently deployed with MINURCAT is being delivered in accordance with national standards. There are no concerns in regard to real life support for Irish troops at this time.

I am aware of a report by Amnesty International on violence against refugee women in eastern Chad which was published last year. I understand that Amnesty International Ireland has contacted the Minister for Foreign Affairs in regard to the above-mentioned report. The Government shares the concern of Amnesty International Ireland at the content of the report and will continue to make Ireland's voice heard with regard to Chad. Ireland will do its utmost to contribute to protecting the vulnerable and building a lasting peace.

The United Nations mission in the Central African Republic and Chad, which comprises civil, police and military components, is authorised, *inter alia*, to take all necessary measures, within its capabilities and its area of operations in eastern Chad, in liaison with the Government of Chad, to contribute to protecting civilians in danger, particularly refugees and internally displaced persons.

Ireland has made substantial efforts and contributed strongly to the efforts to improve the security and protection of the people in the region and to defend their human rights. To this end, we have maintained over 400 Irish troops on the ground in Chad with MINURCAT and previously with the former EU-led mission in Chad. In addition, since the beginning of 2007, Ireland has provided more than €15 million in funding humanitarian relief projects in Chad.

Deputy Jimmy Deenihan: It could happen that Ireland would be forced to withdraw from Chad in July if the Government of Chad has its way. I understand a compromise is being sought whereby the UN force would remain in the north and central part of the battle theatre but that the Irish will be withdrawn from the south. This would be most unfortunate as the Irish have made a significant contribution to the protection of refugees. The Irish contingent has set up a state-of-the-art refugee camp and base in Chad and this has become an example for all other UN missions. I hope this withdrawal will not happen because we have made such

[Deputy Jimmy Deenihan.]

a contribution there. Is the Department considering other missions where Irish military personnel could be deployed as UN peacekeepers? Foreign missions are the *raison d'être* of the Defence Forces, the lifeblood of our Defence Forces. The Minister of State gave the figures for reductions and our Defence Forces will lose much of their reason for being if they are not on missions abroad.

Deputy Pat Carey: On the question about any further plans, in the event that the mission to Chad would be terminated, yesterday the Government decided to dispatch five members of the Permanent Defence Force for service with the proposed EU common security and defence policy military mission to contribute to the training of Somali security forces. This mission, which was established under EU Council decision of 4 February 2010, is scheduled to be launched in May 2010.

The conditions under which the Defence Forces may participate in overseas peace support operations have been made very clear by the Government. In this regard, the conditions which have been referred to as the triple lock mechanism must be satisfied. The operation must be authorised and mandated by the United Nations; it must be approved by the Government and it must be approved by way of resolution of the Dáil where the size of a Defence Forces contribution is more than 12 personnel. Ireland receives requests from time to time with regard to participation in various missions and these are considered on a case by case basis. When considering any particular request, the existence of realistic objectives and a clear mandate which has a potential to contribute to a political solution, consideration of how the mission relates to the priorities of Irish foreign policy and the degree of risk involved are among the factors which are considered.

Deputy Brian O'Shea: I have two questions. When is it anticipated there will be a decision of the United Nations Security Council in regard to the future of MINURCAT? On 19 November 2009, in reply to a parliamentary question in the name of my colleague, Deputy Mary Upton, the then Minister for Defence, Deputy Willie O'Dea, informed the House that MINURCAT had recently launched a campaign to combat gender violence in Chad. Has the Minister of State any updated information on that campaign?

Deputy Pat Carey: I do not seem to have that information. With regard to the discussions with the UN, the mandate of that mission is robust and is being conducted under chapter VII of the UN charter for peace enforcement, allowing for the use of all necessary force to ensure the success of the mission. On the issue of gender violence, it is my understanding that a number of Irish Aid-funded organisations and others are contributing to programmes to alleviate gender-based violence but I cannot say that I have any further information than that available to me at the moment.

Deputy Brian O'Shea: I was in Chad earlier last year and there is a particular difficulty about entering into camps. This does not help the situation in terms of policing this sort of activity. I have been asking this question for a while since that report appeared in *The Irish Times*. Whereas it would seem there is much goodwill, I am not getting a clear message that effective measures are being put in place. I ask that the Defence Forces in Chad would renew and make every effort to rid the country of this type of violence which is absolutely reprehensible.

Deputy Pat Carey: I concur with Deputy O'Shea's comments. I had informal conversations at a function last week and I understand that the Army has been very proactive in engaging with the local community, difficult and all as the circumstances are. The Deputy has visited the region and he will be more aware of the situation on the ground than I am. Working with both

Irish Aid-funded organisations and international aid organisations, the issue of gender-based violence is being dealt with but as to what extent I will correspond with the Deputy.

An Leas-Cheann Comhairle: Deputy Deenihan finally and briefly.

Deputy Jimmy Deenihan: If that is possible. The then Minister informed the House at the previous Question Time that the numbers would be reduced as a result of cutbacks. A total of personnel serving overseas would be reduced from 750 to 480, which includes the numbers in Chad which is 406. This means that if the mission is withdrawn from Chad, there will only be 74 personnel serving abroad, a completely inadequate number. This number will not satisfy the challenges which the Defence Forces must face in order to remain as a vibrant force. I ask the Minister of State to consider restoring the numbers in Kosovo, for example, to 216. As regards new missions with the United Nations, it is quite clear that we could not enter into any new missions unless the triple lock mechanism is satisfied and those missions were mandated by the United Nations as peacekeeping missions.

Deputy Pat Carey: With regard to the KFOR mission, as the security situation in Kosovo continues to improve, NATO has initiated plans to scale down its force in Kosovo. Provided the prevailing security conditions continue, the move to a deterrent presence is being implemented in a gradual and phased manner. It is proposed that KFOR will move from its current level of approximately 10,713 troops as of 1 February 2010 to 6,000 troops by August 2010 and a final figure of some 2,000 troops by 2011. This is a decision taken by NATO.

As for other requests, apart from the recent EU request to dispatch members of the Defence Forces to the CSDP mission in Somalia, no other deployments are planned or envisaged at this time.

Departmental Expenditure.

68. **Deputy Ruairí Quinn** asked the Minister for Defence the savings that will accrue to his Department arising from the public service pay cuts applied by the Financial Emergency Measures in the Public Interest (No 2) Act 2009; the number of personnel whose pay has been cut; the average reduction in each case; and if he will make a statement on the matter.

[9191/10]

Deputy Pat Carey: The Financial Emergency Measures in the Public Interest (No. 2) Act 2009 provides for the reduction of public service salaries of up to €125,000 by 5% on the first €30,000 of salary, 7.5% on the next €40,000 of salary and 10% on the next €55,000 of salary. The Act also provides for a 5% reduction in the fixed-rate allowances payable to such public servants. It is estimated that gross savings of approximately €34 million will accrue in 2010 arising from the application of the pay reductions across the Department of Defence. There are three broad categories of employees on the Department's payroll. The payroll numbers affected in each category on 1 January 2010 were 9,915 military personnel, including Army nursing service personnel; 402 civil servants, including Civil Defence personnel; and 760 civilian employees. Based on the payroll outturn for 2009 and the average numbers in each category in that year, it is estimated that the average percentage pay reduction for each category will be 5.8% for military personnel, 5.9% for civil servants and 5.4% for civilian employees. Members of the Reserve Defence Force on paid training will be paid at the same reduced rates as their Permanent Defence Force counterparts.

Deputy Brian O'Shea: I thank the Minister of State for those statistics. The Labour Party has received representations to the effect that members of the Defence Forces are availing of family income supplement to supplement their pay. It is difficult to establish how many people

[Deputy Brian O'Shea.]

this may apply to. The Labour Party's major concern relates to lower paid staff in the Defence Forces, including civilian employees and civil servants. Does the Minister of State have information on how many members of the Defence Forces, including civilian employees and civil servants, are below the qualifying threshold for family income supplement?

Deputy Pat Carey: I am afraid I do not have that information.

Deputy Jimmy Deenihan: In recent times, a number of people have left the Defence Forces prematurely by taking early retirement. Can the Minister of State indicate why that has happened? Does he know whether it has happened for financial reasons, for example?

Deputy Pat Carey: I do not. I understand from reading other material that a fairly high turnover within certain grades seems to be part of the military arrangements. I do not have any other information that might be of assistance to the Deputy.

Defence Forces Training.

69. **Deputy Seán Sherlock** asked the Minister for Defence if the report of the court of inquiry into the accident at Kilworth Camp, County Cork in June 2009 (details supplied) has been forwarded by the commanding officer of the Southern Brigade to the deputy chief of staff, support; and if he will make a statement on the matter. [9188/10]

94. **Deputy Ciarán Lynch** asked the Minister for Defence if the report of the inquiry into the accident at Kilworth Camp, County Cork in June 2009 has been forwarded to the deputy chief of staff, support); and if he will make a statement on the matter. [9177/10]

Deputy Pat Carey: I propose to take Questions Nos. 69 and 94 together.

A member of the Defence Forces was injured in an incident involving the use of a short range anti-armour weapon at Kilworth Camp on 3 June 2009. A formation accident investigation team was established by the general officer commanding the Southern Brigade to investigate the incident. A formation accident investigation team is normally established in situations of this nature to examine the incident from a health and safety viewpoint. The purpose of such investigations, which are primarily preventative, is to discover the cause of incidents and to collect statistical data so corrective action be taken to prevent a recurrence of them.

Following completion of the initial report prepared by the investigation team, all employment and safety instructions were reviewed and amended as necessary. In accordance with Defence Forces regulations, a court of inquiry was also established to investigate the incident. The report compiled by the court of inquiry was received by the general officer commanding the Southern Brigade in November 2009. The general officer commanding the Southern Brigade forwarded the report to the Defence Forces' director of administration at the beginning of this month. The matter was referred to the director of legal service on 5 February 2010 for his comments and recommendations. The report remains under the consideration of the director of legal service who will make recommendations to the deputy chief of staff, support.

Deputy Brian O'Shea: I take it that the report was forwarded to the deputy chief of staff, support, approximately a month ago and will be sent on to the legal services. Does that imply that legal proceedings may take place as a consequence of this event? I have no reason to believe that will be the case, but I would like the Minister to clarify why it has been referred to the legal services. When is it anticipated that this whole matter will be finalised?

Deputy Pat Carey: I am concerned that there will be a full and thorough investigation of the circumstances of this incident. In this regard, I am advised that the Defence Forces have carried out a thorough investigation. Military investigations or courts of inquiry might not always be the best method of investigating accidents or incidents from a health and safety point of view. In order to address this, formation accident investigation teams are established to investigate the cause of incidents and to identify measures to prevent the recurrence of such incidents. If a military police investigation or a court of inquiry has been convened, the formation accident investigation team is available to offer technical advice. I am not able to advise the Deputy on when a decision will be made on what action, if any, is required or will follow the submission of the report. I am sure the matter can be raised again by means of parliamentary question. When we get the information, we can convey it to the Deputy.

Deputy Brian O'Shea: I thank the Minister of State for the information he has provided. It seems that at the current stage of the process, we have to await further outcomes.

Deputy Jimmy Deenihan: On a related matter, I tried to table a question today about the investigation into the sinking of the *Asgard II*.

An Leas-Cheann Comhairle: That is certainly stretching the scope of the questions before the House, which relate to an incident in Cork.

Deputy Jimmy Deenihan: I was told that the matter is being considered by the Marine Casualty Investigation Board. The Taoiseach is now responsible for this area. Given that the *Asgard II* sank in September 2008, I urge the Minister of State to ensure that a report on the sinking of the vessel is brought before the House as soon as possible.

An Leas-Cheann Comhairle: I will take that as a rhetorical question.

Deputy Jimmy Deenihan: We have not yet received the report of the investigation. I hope the Minister of State, Deputy Pat Carey, will be here as Minister the next time this matter is considered. Can he assure us that the report will be available on that occasion?

An Leas-Cheann Comhairle: No doubt the Deputy will table a question on the matter on that occasion.

Deputy Jimmy Deenihan: I certainly will. I hope it will be allowed.

An Leas-Cheann Comhairle: I am sure it will.

Air Accident Investigations.

70. **Deputy Joanna Tuffy** asked the Minister for Defence if he will make a statement on the outcome of the preliminary investigation into the crash of a Pilatus PC-9 in Connemara on 12 October 2009 with the loss of two personnel. [9196/10]

Deputy Pat Carey: The accident on 12 October 2009 which led to the loss of the lives of Captain Derek Furniss and Cadet David Jevens in Corr na Móna, County Galway, is being investigated by the air accident investigation unit of the Department of Transport. A preliminary report into the fatal air accident involving the Air Corps Pilatus PC-9 was published by the unit on 17 November 2009. This report is available to the public on the air accident investigation unit's website. The cause of the accident is not determined in the preliminary report. Only the facts known by the investigation team at this early stage are set out in that report. A

[Deputy Pat Carey.]

final report, to be completed within a year of the accident, will provide full analysis of the accident and address its cause.

Deputy Brian O'Shea: Deputy Deenihan and I attended the removal of the two Air Corps personnel who lost their lives in this unfortunate accident. I note that the preliminary report stated that, at this point in the investigation, no technical defect has been identified. In the case of an accident of this nature, every effort should be made to bring the process to a conclusion, in the interests of bringing about closure for the families of these two fine young men. I accept that procedures have to be followed and matters have to be fully investigated, but it is important for this process to be brought to the speediest possible conclusion. I ask the Minister of State to convey that to the Taoiseach.

Deputy Pat Carey: Of course I will. The Government is determined to establish the causes of this accident and to put in place any remedial measures that may be required.

Deputy Jimmy Deenihan: Deputy O'Shea and I, along with the then Minister, attended the poignant occasion mentioned by the Deputy. As he said, the families involved deserve some closure. The report should not be delayed in any way, particularly in comparison to other reports. It should take precedence. Resources should be provided to ensure the report is published as soon as possible.

Deputy Pat Carey: The Department of Transport's unit conducts its investigation of aviation accidents and incidents in accordance with SI 205 of 1997. Pursuant to regulation 27 of this statutory instrument, the Ministers for Transport and for Defence agreed and directed the regulation would apply to the investigations of the Air Corps Pilatus PC-9 accident. On foot of this direction, the chief inspector of air accidents appointed an investigator-in-charge to carry out a formal investigation into the accident. The Minister appointed three Air Corps officers, including the Air Corps flight safety officer and the chief air wardens officer, as inspectors of air accidents for the duration of the investigation under the direction of the inspector-in-charge. The Minister for Transport has been assured of the full assistance of the Department of Defence in the matter.

Defence Forces Strength.

71. **Deputy Paul Kehoe** asked the Minister for Defence if, when new strengths by rank within the authorised 10,000 strength of the Defence Forces are agreed, the organisation will have sanction to promote on a continuous basis to ensure the numbers at each rank are maintained at the agreed levels; and if he will make a statement on the matter. [9328/10]

Deputy Pat Carey: Resulting from the Government decision regarding the reduction of public service numbers and the reduced budgetary provision available for 2009, recruitment, promotions and acting-up appointments in the Permanent Defence Force were suspended. I am aware of the impact of the moratorium on the Permanent Defence Force, particularly in light of the high turnover rate that is part of any military organisation. Within the available resources, the Government is committed to maintaining the strength of the Defence Forces at a level of 10,000 all ranks for which Government approval was secured in budget 2010. This reflects the reductions in personnel recommended in the report of the special group on public service numbers and expenditure programmes.

Departmental officials continue to engage with the military authorities on a review of structures and posts required to meet the operational requirements of the Defence Forces in light of the Government decision to maintain a complement of 10,000 personnel. The review is

expected to be completed in March. Following on from this, discussions will commence with the Department of Finance to agree structures and mechanisms for the ongoing promotion of personnel.

While these are challenging times, the Defence Forces have risen to the challenge and are organised, equipped and staffed in a manner which will ensure they can continue to deliver the services required of them by Government.

Deputy Jimmy Deenihan: I welcome the Minister of State confirming the Government has accepted the authorised strength of the Defence Forces at 10,000. It was 11,500 but because of the McCarthy report and reductions it now stands at 10,000. I recognise new structures will have to be introduced in the Defence Forces because of this reduction. Obviously, there will be new demands at different unit levels. If the ranks have been agreed between the Department and the Defence Forces, then the moratorium on promotion should be removed to fill the large number of vacant ranks. Will the Minister of State give a commitment that the Defence Forces will be allowed to fill these ranks without the need for authorisation? Will he also give an exact figure for the number of vacancies?

Deputy Pat Carey: I am advised the Defence Forces retain the capacity to undertake the tasks laid down by the Government at home and overseas. While a detailed response to the submission to the Minister for Finance has not yet been received, the objective is to achieve the implementation of the Government decision on savings measures in public service numbers in a manner that gives protection to the operational capacity of the Permanent Defence Force while meeting its obligations to contribute to the necessary public service economies.

The decision to reduce Permanent Defence Force numbers, as outlined in the White Paper, was the correct decision. The Defence Forces have subsequently delivered all services requested by the Government. This reduction in strength did not adversely affect the provision of services. Instead, significant gains and enhanced service provision have been achieved in the intervening years.

Deputy Seán Sherlock: I am aware of one Defence Forces member who missed his opportunity for promotion because his final medical examination could not take place for reasons beyond his control. The former Minister for Defence was well aware of the case. Given the Minister of State's response, perhaps the case could be re-examined.

An Leas-Cheann Comhairle: The Deputy can provide the Minister of State with the details

Deputy Jimmy Deenihan: I hope the Minister of State will be the Minister for Defence at the next Question Time. I wish him the best of luck in that respect.

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 Mary O'Rourke — the failure of the first crop of miscanthus; (2) Deputies Shane McEntee and Terence Flanagan — the effects of pyrite in homes; (3) Deputy Dan Neville — the need for counselling and psychotherapy to be regulated under the Health and Social Care Professionals Act 2005; (4) Deputy Seymour Crawford — to urge the Minister for Agriculture, Fisheries and Food to take immediate action to ensure all overdue moneys such as REPS 4 are paid to farmers immediately in their present financial crisis; (5) Deputies John O'Mahony and Beverley Flynn — the proposed reduction of four special needs assistants from a special needs school in County Mayo; (6) Deputy Leo Varadkar — the construction and

[An Leas-Cheann Comhairle.]

completion of the N2-N3 link road; (7) Deputy Joe Costello — the need for the Minister for Foreign Affairs to take urgent action to protect the integrity of the Irish passport and the safety of Irish citizens travelling abroad; (8) Deputy John Perry — the effects of the closure of Ballymote courthouse, County Sligo, on Garda personnel in Ballymote and in particular the Garda complement in Ballymote on the day of a court case in Sligo; (9) Deputy Jan O’Sullivan — the rights of former workers at Dell, Limerick, and at ancillary companies; (10) Deputy Ciarán Lynch — to discuss the coming into force of section 132 of the Land and Conveyancing Law Reform Act 2009, what evaluation has been made of the likely effect of this section on new rentals, the consequences of not applying this provision to pre-existing rentals, the consequences, if any, of the upward only provision in regard to NAMA valuations and the need for a national register of commercial rents; (11) Deputy Pat Breen — the impact the closure of local post offices, local Garda stations and local farming offices is having on the delivery of services to people living in rural Ireland and the urgent need for this Government to take action to arrest this decline of rural Ireland; and (12) Deputy Eamon Scanlon — the need for the retention of District Court facilities for Ballymote, County Sligo.

The matters raised by Deputies Dan Neville, Shane McEntee and Terence Flanagan, Mary O’Rourke, John O’Mahony and Beverley Flynn have been selected for discussion.

Communications (Retention of Data Bill) 2009: Report Stage (Resumed).

Debate resumed on amendment No. 1:

In page 5, line 2, to delete “2 years” and substitute “1 year”.

— (Deputy Seán Sherlock.)

Minister of State at the Department of Foreign Affairs (Deputy Peter Power): I acknowledge the Labour Party and Deputy Sherlock support the retention of data. It is not sustainable, however, if one subscribes to the basic principle behind the legislation that data retention is a good measure, helpful in the detection and prosecution of crime but then questions the expert advice and recommendations of the Garda on the retention time. The Garda is having to deal with gangland crime and counter-terrorism. The nature of both do not require the normal instruments of detection and investigation but the use of the most up-to-date technologies. In this respect, we ought to rely on the Garda’s recommendations.

Deputy Sherlock is concerned the retention period may put Irish telecommunications businesses, which would store the information and make it available to the Garda, at a competitive disadvantage to their European counterparts. The service providers were not prepared to individually disclose their costs when drafting this legislation, understandably for reasons of commercial sensitivity. The service providers, however, agreed through one of their representative associations to offer a composite figure compiled by the nine largest telecommunications companies in the State. They estimate the annual running costs will come to a total of €1.5 million with a once-off capital cost of €2.9 million. In proportionate terms, this is a relatively small amount when one considers the annual turnover of the telecommunications sector. It would be reduced by only a minuscule amount if one were to reduce the data retention period to 12 months.

The argument does not stack up. A review of the operation of the directive is being undertaken by the European Commission. This is important in the context of these amendments and also for the legislation generally. The Commission has been conducting one to one discussions with member states to ascertain how the directive is operating in practice in each country. The discussion with our officials took place last autumn. The Commission will submit an evaluation of the application of the directive and its impact on operators and consumers to the European Parliament and the Council not later than 15 September. Among the matters taken into account in the evaluation are further developments in electronic telecommunications technology and

the statistics submitted by each member state under Article 10 of the directive. I cannot anticipate the outcome of the evaluation or any changes to the directive that may be made by the Parliament or the Council but the opportunity to consider amendments such as those proposed by Deputy Sherlock is when we debate any legislation that may arise from an amended directive.

I wish to express my appreciation to the service providers in operating the data retention scheme in a manner of goodwill and co-operation with the law enforcement authorities. In line with a number of other member states, costs are not reimbursed to the companies. That is a good example of how the industry can give practical effect to its social and corporate responsibility in helping our law enforcers to fight crime by disclosing information at their disposal.

Deputy Charles Flanagan: I would not like to see the House divide on these amendments. I listened carefully to the points well made by Deputy Sherlock. We discussed this on Committee Stage and it does not appear we will resolve the matter. This will give rise to a situation where the House divides and votes. With the backing of his party and his partners in government, the Minister of State will win the day. It would be a pity if that is the end of the situation because important points have been raised. It is a question of finding a balance between privacy for the citizen and security and protection for persons and communities. It is a question of how best we can strike a balance.

We are transposing an EU directive. Some EU directives do not provide for an element of discretion as provided for in this measure. The Minister of State referred to the discretion available to national governments in respect of the time limit. The Minister of State provides for two years for retention whereas Deputy Sherlock believes this is too long. In an attempt to arrive at a meeting of minds, what is the norm in other European countries? On Second Stage we made reference to the European countries that had already transposed the directive. I was critical that the directive has been knocking around for quite some time but had not been enshrined in national legislation. It would seem most of our European partners have enshrined the directive in national law. Perhaps the Minister of State can advise the House of the precise position in other jurisdictions as to the retention of usage data with particular reference to telephone, mobile, e-mail and Internet usage records. For example, what is the period in the UK, France, Belgium and other European countries? An important principle of enshrining these directives in our national law is to move towards a harmonised position so that the EU directive, when enshrined by national parliaments in national law, provides an element of consistency so that there is no broad difference that might otherwise arise from national discretion. I would like the Minister of State to let us know the position in other parliaments and jurisdictions having regard to the manner in which other countries have transposed the directive, notwithstanding the discretion to which he refers.

Deputy Seán Sherlock: Article 6 of the directive allows for telephone and Internet data to be retained for a minimum of six months and a maximum of two years. We all accept the principle of the retention of data and each state is at liberty to choose where on that scale it pitches its obligatory data retention provision. The norm is as per the Labour Party position set down in these amendments. There is no contradiction between being in favour of the principle of the retention of data and being against what the Government proposes. If one puts an onus on Internet service providers and telephony companies to retain data, they must retain all Internet related traffic for a period of two years. If one is investigating a crime, one cannot speak to the content of the data. If I use my Gmail account to e-mail someone, who is subsequently charged with a crime, one can only state that correspondence took place between me and the other person but one does not have access to the content. Why would one impose a cost beyond 12 months on a telephony company or an Internet service provider if one can merely deduce that communication took place without having access to the content? Let us consider the examples of social networking sites such as Bebo, Facebook and Twitter and web-

[Deputy Seán Sherlock.]

based e-mail accounts such as Hotmail. The Minister of State cannot argue that this measure will not place a cost burden on these providers because every single piece of traffic must be stored somewhere. I imagine the vast bulk of it will be stored outside the confines of the State because many of these Internet service providers are international companies and have specific storage facilities. However, it will increase the cost burden for those who operate in Ireland, such as Irish companies with storage facilities here. By increasing the cost burden, one must consider whether it will be pertinent to the solving of a crime thereafter. The argument of the Labour Party is that it will not.

On Committee Stage, the Minister of State commented:

The significance of this is that Internet is a relatively new technology. It is accepted that the vast majority of disclosure requests [the requests that will arise from the vested officers] are for data less than three months old.

If the vast majority of disclosure requests are for data less than three months old, the position of the Labour Party is that the measure exceeds that which the Minister of State stated on Committee Stage. That is the logic behind the two amendments we have tabled.

Deputy Peter Power: To answer Deputy Flanagan's question, the retention periods for data vary significantly across the European Union. This reflects, as the Deputy observed, the discretion available to each member state, which in turn reflects the fact that each state has a different court system, judicial system and investigative system. The French system, for

4 o'clock

example, is very different from ours and cases tend to be processed much quicker. The Italian system, on the other hand, can involve a very elongated investigative process. The retention period in that country is 29 months which reflects the extensive investigative period. Our system of constitutional rights and the rights of accused persons is so highly developed that our investigative times tend to be longer than the norm, which is reflected in the data retention period. I do not have time to list the data for all member states but I can provide the Deputy with that information. In short, the retention period for telephony data ranges from six months in Austria to 29 months in Italy.

I accept that Deputy Sherlock makes his point in good faith. We are agreed on the need for data retention but disagreement arises on the question of where the balance lies. I accept that the majority of requests are made within a three-month period. However, one must balance that against the very small cost to extend the retention of the information from the 12-month period proposed by the Labour Party to the 24-month period proposed by the Government. That cost is relatively minuscule when one considers that most of the costs are on the capital side and are front-loaded. One must balance the two. I am concerned that we do not allow a situation to arise, if we were to accept the Labour Party proposal, where that balance would ultimately fall in favour of a criminal such that he or she could not be convicted because a vital element of evidence is not available to the Garda.

Moreover, we must accept that investigations that depend on electronic data, DNA evidence, CCTV footage and other modern forms of technology tend to be slow and painstaking. They proceed incrementally depending on certain items of information that come to the attention of the Garda. Sometimes, as in the case of several gangland crimes, including gangland murders, it can take a long time for the information to come into the possession of the Garda. It may transpire, for example, that the Garda, having brought a prosecution to a certain level, comes into the possession of information 18 months after a crime was committed which leads them to seek data, such as mobile telephone records, which could place a new suspect in a particular place at a particular time. If gardaí in that situation were unable to obtain that information because we had reduced the limit from 24 months to 12 months, and if they subsequently failed

to bring about a prosecution, we would not have done a good day's work in this House. We must balance that consideration, which is based on the advice of gardaí with responsibility in this area, against the small additional cost of retaining the information for an additional period of 12 months. The balance lies heavily in favour of retaining a period of 24 months rather than 12.

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

The Dáil divided: Tá, 73; Níl, 69.

Tá

Ahern, Michael.
 Ahern, Noel.
 Andrews, Chris.
 Ardagh, Seán.
 Aylward, Bobby.
 Blaney, Niall.
 Brady, Áine.
 Brady, Cyprian.
 Brady, Johnny.
 Browne, John.
 Byrne, Thomas.
 Carey, Pat.
 Collins, Niall.
 Conlon, Margaret.
 Connick, Seán.
 Cregan, John.
 Cuffe, Ciarán.
 Cullen, Martin.
 Dempsey, Noel.
 Devins, Jimmy.
 Dooley, Timmy.
 Fahey, Frank.
 Finneran, Michael.
 Fitzpatrick, Michael.
 Fleming, Seán.
 Flynn, Beverley.
 Gormley, John.
 Hanafin, Mary.
 Harney, Mary.
 Haughey, Seán.
 Healy-Rae, Jackie.
 Hoctor, Máire.
 Kelleher, Billy.
 Kelly, Peter.
 Kenneally, Brendan.
 Kennedy, Michael.
 Killeen, Tony.

Kitt, Michael P.
 Kitt, Tom.
 Lenihan, Brian.
 Lenihan, Conor.
 Lowry, Michael.
 McEllistram, Thomas.
 McGrath, Mattie.
 McGrath, Michael.
 McGuinness, John.
 Mansergh, Martin.
 Moloney, John.
 Moynihan, Michael.
 Mulcahy, Michael.
 Nolan, M. J.
 Ó Cuív, Éamon.
 Ó Fearghaíl, Seán.
 O'Brien, Darragh.
 O'Connor, Charlie.
 O'Dea, Willie.
 O'Donoghue, John.
 O'Flynn, Noel.
 O'Hanlon, Rory.
 O'Keeffe, Batt.
 O'Keeffe, Edward.
 O'Rourke, Mary.
 O'Sullivan, Christy.
 Power, Peter.
 Power, Seán.
 Roche, Dick.
 Ryan, Eamon.
 Sargent, Trevor.
 Scanlon, Eamon.
 Smith, Brendan.
 Treacy, Noel.
 Wallace, Mary.
 White, Mary Alexandra.

Níl

Bannon, James.
 Barrett, Seán.
 Behan, Joe.
 Breen, Pat.
 Broughan, Thomas P.
 Bruton, Richard.
 Burke, Ulick.
 Burton, Joan.
 Carey, Joe.
 Clune, Deirdre.
 Connaughton, Paul.
 Coonan, Noel J.
 Costello, Joe.
 Coveney, Simon.

Creed, Michael.
 Creighton, Lucinda.
 D'Arcy, Michael.
 Deenihan, Jimmy.
 Doyle, Andrew.
 Durkan, Bernard J.
 English, Damien.
 Enright, Olwyn.
 Feighan, Frank.
 Flanagan, Charles.
 Flanagan, Terence.
 Gilmore, Eamon.
 Hayes, Brian.
 Hayes, Tom.

Níl—continued

| | |
|------------------------|----------------------|
| Higgins, Michael D. | O'Mahony, John. |
| Hogan, Phil. | O'Shea, Brian. |
| Howlin, Brendan. | O'Sullivan, Jan. |
| Kehoe, Paul. | O'Sullivan, Maureen. |
| Lynch, Ciarán. | Penrose, Willie. |
| Lynch, Kathleen. | Perry, John. |
| McCormack, Pádraic. | Quinn, Ruairí. |
| McEntee, Shane. | Rabbitte, Pat. |
| McGinley, Dinny. | Reilly, James. |
| McGrath, Finian. | Ring, Michael. |
| McHugh, Joe. | Sheahan, Tom. |
| McManus, Liz. | Sheehan, P. J. |
| Morgan, Arthur. | Sherlock, Seán. |
| Naughten, Denis. | Shortall, Róisín. |
| Neville, Dan. | Stagg, Emmet. |
| Noonan, Michael. | Timmins, Billy. |
| Ó Caoláin, Caoimhghín. | Tuffy, Joanna. |
| Ó Snodaigh, Aengus. | Upton, Mary. |
| O'Donnell, Kieran. | Varadkar, Leo. |
| O'Dowd, Fergus. | Wall, Jack. |
| O'Keeffe, Jim. | |

Tellers: Tá, Deputies Pat Carey and John Cregan; Níl, Deputies Emmet Stagg and Paul Kehoe.

Question delcared carried.

Amendment declared lost.

An Ceann Comhairle: Is Deputy Sherlock pressing amendment No. 2?

Deputy Seán Sherlock: Yes. I move amendment No. 2:

In page 5, line 3, to delete “one year” and substitute “6 months”.

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

The Dáil divided: Tá, 73; Níl, 68.

Tá

| | |
|--------------------|-----------------------|
| Ahern, Michael. | Fitzpatrick, Michael. |
| Ahern, Noel. | Fleming, Seán. |
| Andrews, Chris. | Flynn, Beverley. |
| Ardagh, Seán. | Gormley, John. |
| Aylward, Bobby. | Hanafin, Mary. |
| Blaney, Niall. | Harney, Mary. |
| Brady, Áine. | Haughey, Seán. |
| Brady, Cyprian. | Healy-Rae, Jackie. |
| Brady, Johnny. | Hoctor, Máire. |
| Browne, John. | Kelleher, Billy. |
| Byrne, Thomas. | Kelly, Peter. |
| Carey, Pat. | Kenneally, Brendan. |
| Collins, Niall. | Kennedy, Michael. |
| Conlon, Margaret. | Killeen, Tony. |
| Connick, Seán. | Kitt, Michael P. |
| Cregan, John. | Kitt, Tom. |
| Cuffe, Ciarán. | Lenihan, Brian. |
| Cullen, Martin. | Lenihan, Conor. |
| Dempsey, Noel. | Lowry, Michael. |
| Devins, Jimmy. | McEllistram, Thomas. |
| Dooley, Timmy. | McGrath, Mattie. |
| Fahey, Frank. | McGrath, Michael. |
| Finneran, Michael. | McGuinness, John. |

Tá—continued

Mansergh, Martin.
 Moloney, John.
 Moynihan, Michael.
 Mulcahy, Michael.
 Nolan, M. J.
 Ó Cuív, Éamon.
 Ó Fearghaíl, Seán.
 O'Brien, Darragh.
 O'Connor, Charlie.
 O'Dea, Willie.
 O'Donoghue, John.
 O'Flynn, Noel.
 O'Hanlon, Rory.
 O'Keefe, Batt.

O'Keefe, Edward.
 O'Rourke, Mary.
 O'Sullivan, Christy.
 Power, Peter.
 Power, Seán.
 Roche, Dick.
 Ryan, Eamon.
 Sargent, Trevor.
 Scanlon, Eamon.
 Smith, Brendan.
 Treacy, Noel.
 Wallace, Mary.
 White, Mary Alexandra.

Níl

Bannon, James.
 Barrett, Seán.
 Behan, Joe.
 Breen, Pat.
 Broughan, Thomas P.
 Bruton, Richard.
 Burke, Ulick.
 Burton, Joan.
 Carey, Joe.
 Clune, Deirdre.
 Connaughton, Paul.
 Coonan, Noel J.
 Costello, Joe.
 Coveney, Simon.
 Creed, Michael.
 Creighton, Lucinda.
 D'Arcy, Michael.
 Deenihan, Jimmy.
 Durkan, Bernard J.
 English, Damien.
 Enright, Olwyn.
 Feighan, Frank.
 Flanagan, Charles.
 Flanagan, Terence.
 Gilmore, Eamon.
 Hayes, Brian.
 Hayes, Tom.
 Higgins, Michael D.
 Hogan, Phil.
 Howlin, Brendan.
 Kehoe, Paul.
 Lynch, Ciarán.
 Lynch, Kathleen.
 McCormack, Pádraic.

McEntee, Shane.
 McGinley, Dinny.
 McGrath, Finian.
 McHugh, Joe.
 McManus, Liz.
 Morgan, Arthur.
 Naughten, Denis.
 Neville, Dan.
 Noonan, Michael.
 Ó Caoláin, Caoimhghín.
 Ó Snodaigh, Aengus.
 O'Donnell, Kieran.
 O'Dowd, Fergus.
 O'Keefe, Jim.
 O'Mahony, John.
 O'Shea, Brian.
 O'Sullivan, Jan.
 O'Sullivan, Maureen.
 Penrose, Willie.
 Perry, John.
 Quinn, Ruairí.
 Rabbitte, Pat.
 Reilly, James.
 Ring, Michael.
 Sheahan, Tom.
 Sheehan, P. J.
 Sherlock, Seán.
 Shortall, Róisín.
 Stagg, Emmet.
 Timmins, Billy.
 Tuffy, Joanna.
 Upton, Mary.
 Varadkar, Leo.
 Wall, Jack.

Tellers: Tá: Deputies Pat Carey and John Cregan; Níl: Deputies Emmet Stagg and Paul Kehoe

Question declared carried.

Amendment declared lost.

Deputy Seán Sherlock: I move amendment No. 3:

In page 5, line 43, before “, shall” to insert the following:

“or that are the subject of a request under *section 6*”.

[Deputy Seán Sherlock.]

This amendment seeks to ensure that when a request is made it is dealt with immediately, which would strengthen the provisions of section 6.

Deputy Peter Power: Under section 4(1)(d) data retained for the purposes of the Act must be destroyed by the service providers at the end of the two-year and one-year periods for retention of telephony and Internet data, respectively. The one exception is data that have been accessed and preserved. The wording complies fully with Article 17 of the directive. The amendment seeks to add to that data which are the subject of a request by law enforcement authorities. The amendment is unnecessary for two reasons. First, section 4(1) (d) places an obligation to destroy data that have been retained under section 3, namely, data that would have been the subject of a request under section 6 — in other words data that have been accessed and preserved. Therefore, what the amendment seeks to achieve is already catered for.

Second, retained data must be destroyed by the service providers after two years in respect of telephony data and 12 months in respect of Internet data. The question arose when the Bill was being prepared as to what would happen to data that might be requested, say, an hour before they were due to be destroyed and could not be disclosed in the short time available. I am assured that rarely, if ever, has this happened under the existing arrangements but nonetheless it was considered prudent to cater for such an eventuality. Section 4(1)(d) provides for a grace period of one month after the retention period has expired for data to be destroyed. This allows sufficient time to arrange for the destruction of data and for any late requests within the specified times for data to be disclosed.

Both the service providers and the law enforcement authorities have expressed their satisfaction with this arrangement. As this arrangement deals adequately with the intent of the amendment, this is not necessary and there is no need for me to include it in the Bill.

Deputy Seán Sherlock: There is no need for me to elaborate further, and I intend to press the amendment.

Question put and declared lost.

An Ceann Comhairle: Amendment No. 4 is in the name of Deputy Sherlock.

Deputy Seán Sherlock: I move amendment No. 4:

In page 6, lines 41 and 42, to delete “within 2 working days of the request being made” and substitute “forthwith”.

Again, this is rather a technical amendment. I am seeking to ensure that there is a more immediate confirmation of an oral request. When oral requests are made they should be done expeditiously and properly and, if this law is to be passed and disclosure requests are made, we want to ensure that the procedure is so tight, there can be no ambiguity as regards the processing such requests, so that this does not become subject to question thereafter in a court of law or by other means. We want to ensure the procedure is watertight.

Deputy Peter Power: Deputy Sherlock wishes to remove ambiguity from the requirement to provide written confirmation of the request, but we respectfully suggest that by substituting the word, “forthwith”, for a defined period of two working days in itself introduces ambiguity. Part 7 of the Criminal Justice (Terrorist Offences) Act 2005 provides that where a disclosure request is made orally, it must be confirmed in writing within 24 hours. We have been advised

by the Garda Síochána that this can cause problems, especially at weekends and bank holidays when the Garda chief superintendent who approved the oral request might not be available for a few days. For that reason the person who makes the oral request is being given two working days to confirm it in writing.

The significant point is that the request will be confirmed in writing and two working days, the Government submits, is not an unreasonable period. It is the specific time that is clear to all concerned, and as such is unambiguous. The word “forthwith” leaves some uncertainty with regard to what would be an acceptable period of time. If it means immediately, it must be remembered that the reason the request is being made orally is because of the urgency of the situation, such as in a kidnapping where there is simply no time to prepare a written request. The investigating garda might not, because of the urgency and seriousness of the situation, be in a position to put the request in writing to the chief superintendent for some hours. By then the chief superintendent might be off duty.

In the circumstances I am satisfied that a statutory limit of two working days is reasonable and any lesser period — or worse, a reference to an indefinite time period such as “forthwith” — would cause problems. In essence, we are trying to avoid a situation where a defendant in a criminal prosecution would be able to make an argument as regards what “forthwith” actually means in terms of seconds, minutes, hours or days. Given that ambiguity if he or she was to successfully argue that the request was not followed up in writing “forthwith”, if that was the wording of the legislation, then it is conceivable that the request might be deemed to be invalid and the information and data supplied on foot of such an invalid request, in the event, could jeopardise the prosecution of a case. Therefore, to remove that type of ambiguity and achieve certainty, where everybody knows where they stand, the Government is of the view that two working days is not an unreasonable period of time.

Deputy Seán Sherlock: I accept the Minister of State’s response.

Amendment, by leave, withdrawn.

An Ceann Comhairle: Amendment No. 5 is in the name of Deputy Sherlock.

Deputy Seán Sherlock: I move amendment No. 5:

In page 6, to delete lines 43 and 44 and substitute the following:

“7.—A provider shall comply with a disclosure request made to the service provider only where it is technically possible and reasonable in scope in that the request is not so wide as to place an undue cost on the service provider.”.

There are suggestions that the telecommunications industry, through various submissions it has made, would request that this should be brought into the legislation. The amendment is self-explanatory. We are asking that a provider shall comply with a disclosure request made to the service provider only where it is technically possible and reasonable in scope — in that the request is not so wide as to place an undue cost on the service provider.

Again, with reference to the cost burden, if, for instance a designated officer should make a disclosure request, there has to be a reasonable approach to this. If, for instance, the request trawls so wide as to be entirely non-specific and take up a large amount of time, then this will obviously place a burden on the relevant ISP or telephone company. If a disclosure request is as wide-ranging as a chief superintendent determines it should be, then we must be mindful of the cost to the service provider in yielding up that information.

[Deputy Seán Sherlock.]

I know the Minister of State will argue to the effect that disclosure requests are needed and there has to be discretion on the part of the chief superintendent. Nonetheless, I believe the request has to be targeted and some degree of scope must be allowed for as regards the ISP or telephone company. That is fundamentally what I am addressing here.

Deputy Peter Power: I understand where Deputy Sherlock is coming from in this regard. Indeed, the thrust of his amendments are not to put an undue burden on the service providers, who are co-operating with the Government and the various statutory authorities on a voluntary basis, to their credit.

Amendment No. 7, however, seeks to replace section 7 with an entirely new section. At present, section 7 obliges service providers to comply with a disclosure request. This means the law enforcement authorities and the service providers are in no doubt of their responsibilities under the Act. Section 7 complies with the requirements of Article 3 of the directive. Any lessening of the obligation to retain data as suggested in the amendment could leave us in the position of being informed by the Commission that we were not in full compliance with the directive, along with all that would entail for the country.

The amendments would seriously affect the law enforcement the ability of agencies to seek data for the purposes established by the Bill and would introduce a large element of uncertainty into the operation of the legislation. As regards the wording of the amendment, of course everything is technically possible within the confines of the directive, but what is reasonable and does not entail an undue cost are subjective judgments and would depend on the circumstances of each individual case. However, by their very nature it is difficult to envisage a scenario whereby blanket requests would be made. The legislation provides that such requests may only be made in respect of serious offences and the nature of such serious offences are set out in the legislation. It is difficult to envisage a situation whereby someone could inquire into or investigate a serious offence and that the request for disclosure from a service provider or telephony operator would not be of a very specific character; for example, a request related to one suspect or a possible witness, where he or she was, whether he or she made a phone call or whether two potential suspects make a call to each other. It is difficult to envisage circumstances whereby there could be a broad trawl. However, I understand where the Deputy is coming from.

At present, data retention arrangements operate within the statutory provisions established in the Criminal Justice (Terrorist Offences) Act 2005 on the basis of goodwill and co-operation between the Garda Síochána and the service providers. This means both sides use common sense when requesting or supplying data. The memorandum of understanding being drawn up between the law enforcement authorities and the service providers will ensure both sides are clear about how the system will operate. Amendments such as this proposed amendment could affect such goodwill and introduce the uncertainty to which I referred earlier. Deputies will note there is no penalty for failure to comply with a disclosure request. The reason for this is not to draw the criminal law into a system that works well without it and which is essentially voluntary in nature. Similarly, the system has worked well without the proposed amendment and for this reason the Government is not disposed towards accepting the Labour Party amendment.

Deputy Seán Sherlock: To my mind, the memorandum of understanding referred to by the Minister of State on Committee Stage is not on a statutory footing. Section 7 states that service providers shall comply with a disclosure request made to them. It is important the views of the telcos and the ISPs, Internet service providers, are acknowledged. One of the parties to the

memorandum of understanding is the ISPAI, Internet Service Providers Association of Ireland. It made a submission on the Bill and stated section 7 was far too wide and unwieldy and takes no account of what is reasonable, technically possible and not very expensive. Its recommendation is that a service provider shall comply with a disclosure request made to it only where it is technically possible. I take on board the views expounded by the Minister of State but the reality is that we do not know for sure how many requests will be made by a designated officer. We do not know for what purposes such requests will be made, against whom they will be made or the reasons why they may be made. If we accept in good faith what the Minister of State is saying, then we deduce requests will only be made in respect of taxation or an investigation by the Revenue Commissioners, a chief superintendent or an officer of the law.

I refer to the Bills' digest, a very good document published by the Oireachtas Library service. It states that under the Bill an individual can only find out that data relating to him or her is accessed on foot of a disclosure request by first making a request on the basis that they believe the data has been accessed. This veers somewhat from the point of the amendment but I seek to nail down the idea that there is a clear focus in respect of how the legislation is used. We may agree that one must retain data and that such data can be pertinent to solving a crime but we have no wish for anyone to flout the purpose of the legislation for their own ends. We have no wish for anyone to make nefarious requests for disclosure and trawl with the net so wide such that it would put a cost on the ISPs and such that a service provider is spending resources for something that may not be for the detection of a crime or for which the legislation is designed. I wish to put down a marker in this respect and I intend to press the amendment.

Deputy Peter Power: I understand the basis upon which Deputy Sherlock argues his point, but we should remember that a request can only be made by the Garda Síochána at the level of a chief superintendent, a very senior officer. While it is important that we set out robust and strong legislation that is not open to abuse, the fact that a request can only be made in respect of a serious offence set out in the legislation and by a chief superintendent would not, it is hoped, give rise to such abuses as those about which Deputy Sherlock has expressed concern and has questioned. We agree that no one should flout the powers enshrined in the legislation but were the scenario painted by Deputy Sherlock to materialise I refer him to the provision that requests are audited and reviewed by a High Court judge. If, under the relevant section of the legislation, a High Court judge observes that an unreasonable number of requests are made or that a general trawl for information is made, a possibility to which Deputy Sherlock adverted, he reports directly to the Taoiseach. I suggest this is a further level of oversight that, I trust, would assuage the fears of Deputy Sherlock.

An Ceann Comhairle: Is the Deputy pressing the amendment?

Deputy Seán Sherlock: Do we know who the responsible judge would be in respect of this oversight? How has that system been used? Has the judge used this provision in respect of other legislation? My understanding is that provision is also relates to the interception of postal packets and telecommunications messages and the oversight is pertinent with regard to that legislation. I am given to understand reports are rubber-stamped in respect of how that provision works, without any qualitative analysis of the provision in question. I am unconvinced that the oversight mechanism in this legislation would be used as designated. I suspect that the oversight provision will end up simply being rubber-stamped as per other legislation and that we will not know in real terms whether the legislation will be flouted or abused by certain persons. It is open to abuse regardless of whether one accepts the bona fides of a chief superintendent or any other designated officer. That is the point we want the Minister of State to clarify. I want to ensure disclosure requests are made only where it is technically possible and reasonable and that the oversight mechanism will be subject to proper scrutiny.

Deputy Charles Flanagan: I am inclined to agree with the Minister of State's view on this, notwithstanding the strong case put forward by Deputy Sherlock. We have strayed a little from the amendment by explaining the rationale behind it.

Deputy Seán Sherlock: Yes.

Deputy Charles Flanagan: Such an explanation is important.

The Minister of State has given certain assurances regarding the level of oversight and outlined that it will be exercised by the Chief Superintendent and High Court judge. In this regard, will the Minister of State compare the position of High Court judge to the Office of Surveillance Commissioners in Britain? Were the Minister of State to clarify a number of matters related to the role of the High Court judge, it might meet the concern expressed by Deputy Sherlock in his amendment. Will the Government consult the President of the High Court in the selection of a designated judge? The High Court judge should be specifically designated. Prior to the appointment, it should be demonstrated that the judge has a specific interest and training in these matters and knowledge thereof. It is essential that a regular or general High Court judge not be appointed and that the appointee be somebody with specific responsibility, identity, training and resources. If the latter is guaranteed, the legislation will be stronger by dint of everybody knowing the oversight judge is operating on a basis that involves more than just a referral to a High Court judge who may also be engaged in addressing more general, civil or criminal duties. This is important.

Will the judge appointed and designated have his or her own office with personnel? I refer to circumstances in which there would be a designated unit producing the report rather than circumstances in which the report would be issued from the chambers of judges also engaged in general judicial duties. Will there be a specific office with specific civil servants appointed thereto serving the judge, engaging in oversight, producing the report and ensuring a properly functioning system for the reporting judge and Taoiseach?

Deputy Peter Power: This goes to the heart of the concerns of the Labour Party, including Deputy Sherlock, regarding whether the legislation will be abused. Sections 11 and 12 deal with the matter. The High Court judge currently dealing with this matter is Judge Iarla O'Neill. Section 11 provides that the President of the High Court shall, in consultation with the Minister, undertake the duties set out in section 12. In other words, one of the most senior judicial officers in the country will, in consultation with the Minister, make the appointment. It is only reasonable to expect that the President would appoint somebody with a special interest or experience in this area. It would not be right for the legislation to set out in detail that a High Court judge ought to have certain qualifications.

Deputy Charles Flanagan: Fair enough.

Deputy Peter Power: It is very important that the powers of the High Court judge be set out in legislation. I refer to the powers to investigate any case in which a disclosure request has been made and to access and inspect official documents or records relating to the inquest. More important, the judge shall, or have an obligation to, keep the operation of the provisions of the Act under review, ascertain whether the Garda, the Permanent Defence Force and the Revenue Commissioners are complying with its provisions, and, if necessary, include in the report to the Taoiseach such matters relating to the legislation that the designated judge considers appropriate. I hope this deals with Deputy Sherlock's point.

We entrust certain matters such as these to High Court judges regularly in many different areas of legislation in respect of which independent oversight is required on the part of an experienced, independent and totally impartial person. The legislation provides the High Court judge with the powers and facilities to ensure the legislation is not abused.

Amendment put and declared lost.

Deputy Seán Sherlock: I move amendment No. 6:

In page 7, between lines 20 and 21, to insert the following:

“(5) A report under this section shall contain details of the numbers of prosecutions actually commenced as a result of investigations to which requests related, and a detailed justification for any significant excess of numbers of requests over numbers of prosecutions actually commenced.”.

This is another strengthening provision and it seeks to ensure that the law will not be flouted in any way. It speaks to the theme of amendment No. 5.

Bearing in mind the Interception of Postal Packets and Telecommunications Messages (Regulation) Act 1993, the current reporting format is inadequate, even if there is judicial oversight. If one examines some of the reports and documents arising from the oversight procedure, one will see they contain a single paragraph stating records regarding the legislation have been examined by a judge. That is all they state. We do not want similar circumstances obtaining regarding the legislation under discussion.

We would like to have included a provision seeking to examine the nature of the disclosure requests. If a request is made and leads to a criminal offence or prosecution, there would be some justification for the provision. However, if there were a large number of disclosure requests made but no correlation between those requests and subsequent prosecutions, it would provoke questions. There is always a need for some form of qualitative analysis to ensure legislation is working properly and fit for purpose. That is why the Labour Party is saying a detailed report should be made.

Oireachtas Library and Research Service documentation states an individual can only find out if data relating to him or her has been accessed on foot of a disclosure request by first making a request on the basis that he or she believes the data have been accessed. That is a fairly serious provision. The reporting procedure could redress such a disparity in the Bill. If one does not know that a disclosure request has been made about one, one has no way to access the referee or other such designated person. Perhaps the Minister has a view on that. If my understanding of the provision is wrong, I will openly acknowledge it but the amendment will ensure that the legislation is not used for nefarious purposes, that it is fit for purpose and that it is used in a manner to ensure that somebody cannot trawl widely for a disclosure request and do so for purposes other than expediting justice.

Deputy Peter Power: There are two points involved here. One is the intention to ensure that the legislation is not abused. We would agree with any provision that seeks to prevent that. The second point is the compilation of qualitative information for submission to the European Union for the purpose of reviewing both this legislation and legislation across the European Union. These are two very different matters. With regard to ensuring the legislation is not abused, the relevant oversight and the High Court judge's report to the Taoiseach, which we mentioned in our previous discussion, deal with that.

This section essentially deals with the necessary compilation of information for submission to the European Union. Article 10 of the directive obliges member states to provide statistics to the Commission on an annual basis on the retention of data generated or processed under the terms of the directive. The statistics must include: first, the cases in which information was provided to the competent authorities in accordance with the applicable national law; second, the time elapsed between the date on which the data were retained and the date on which the competent authority requested the transmission of the data; third, the cases where requests for

[Deputy Peter Power.]

data could not be met. Section 9(5) of the Bill sets out the information that must be contained in the reports by the Garda Commissioner, the Chief of Staff of the Permanent Defence Forces and the Revenue Commissioners. That information precisely reflects the requirements of the directive.

The purpose of the statistics compiled under section 9 is that they must be transmitted to the Commission each year. For the purposes of clarity and consistency it would be desirable that each member state compile and transmit the same classes of statistics to the Commission. Those classes should be as required by the directive. Section 9 has no other purpose. Any statistics compiled under it that are in addition to those required under the directive would therefore have no added value. I have already mentioned the evaluation of the operation of the directive being carried out by the Commission. Under Article 14 of the directive the Commission is obliged to submit to the European Parliament and the Council of Ministers an evaluation of the application of the directive and its impact on economic operators and consumers. The statistics submitted under section 9 will feed into that evaluation. Without meaning in any way to anticipate what the report might say, if it transpires that changes to the system of compiling the statistics are included, that would be the appropriate time to consider amendments to the statistics regime.

It is also the case that the type of statistics sought by the amendment could prove misleading. In the normal course of events, evidence is compiled from a variety of sources and only when put together can a file be submitted to the Director of Public Prosecutions. It is not usual that a prosecution would commence on the basis of the data information alone. Evidence can emanate from a range of different sources. It would be impossible to draw a direct correlation between requests submitted and prosecutions. At its most simple, submitting a request as to when a Mr. Ryan made a telephone call will not, of itself, lead to a prosecution. Making a telephone call is not an offence. It is just part of a pile of different evidence to be collected. When all the evidence is put together and the full picture is available to the Garda, a prosecution can then take place. It is just not possible to draw a connection between a request and a prosecution. Even if it were, the administrative time involved in putting together all that information and trawling through every case to see if a request for information on retained data led to a prosecution would be incredibly burdensome for the Department, the Garda or whatever administrative authority is charged with supplying the retained data.

Deputy Seán Sherlock: The Minister of State offered the example of a Mr. Ryan, so I will continue to use that example. He also referred to the requirements of the directive and the terms under which data must be submitted to the Commission. I accept that point. However, if we are discussing the rights of this Mr. Ryan in respect of whom disclosure is requested, under the Bill Mr. Ryan can only find out if a disclosure request has been made by first making a request to the Data Protection Commissioner on the basis that he believes that personal data has been accessed. If the data relating to Mr. Ryan has been accessed, there is no analysis after the fact. If nothing arises from the disclosure and Mr. Ryan is innocent, there is nothing in the analysis thereafter that allows Mr. Ryan to know that a disclosure request was made about him by one of the designated officers. The reporting mechanism to the Commission does not allow for that either.

We are trying to ensure that if Mr. Ryan is not prosecuted, a report under this section will contain details of the numbers of prosecutions actually commenced as a result of investigations to which requests related and detailed justification for any significant excess in numbers of requests. If no prosecution is taken against Mr. Ryan, it could be argued that it is an excess. That must be quantifiable as well. I know I am repeating myself but I am trying to strike a balance between what is appropriate and inappropriate use of the disclosure request in the first instance to ensure that in the case of people who are innocent parties and against whom

disclosure requests are made, the State, because of a reporting procedure, 12 months after the enactment of the Bill would be able to note an inordinately large amount of disclosure requests from a particular source about a certain person where no action has arisen from them. It is right to have a method by which we can question that process.

I might be overly pedantic about this but we must prevent nefarious use of the law. That is my objective.

Deputy Peter Power: Deputy Sherlock is right to try to strike a balance between the rights of the citizen and the rights of an accused person. However, if one were to disclose to an individual who is under investigation by the Garda for a criminal offence that data relating to them has been requested, one would be effectively telling the person that he or she is under investigation. That would inevitably compromise the chances of the Garda concluding its investigation and bringing a successful prosecution. I can offer an example. Unfortunately, it is all too common these days that a contract assassin would travel from one part of the country to another to carry out a hit. If he made a telephone call to the head of a criminal gang to tell him he is on his way to that part of the country and if there were an obligation to inform him in the course of a criminal investigation that a request to disclose data relating to him was being made by the Garda Síochána, he would immediately know he was under investigation. Therefore, the investigation would be compromised immediately. I do not think we can go down that road.

The fact that gardaí may request information in those circumstances will not in itself lead to the prosecution of an individual. One can never say that a request led to the ultimate prosecution of a hitman. It would depend on a range of other pieces of information. As I mentioned earlier, CCTV information, DNA information and a plethora of different types of information are available to the Garda. It is not practical to draw a connection between a request for retained data and a successful prosecution, leaving aside the fact that the information set out in this section is fully and completely in accordance with what is required of the country in the directive.

Deputy Seán Sherlock: Perhaps the Minister of State could clarify and acknowledge whether the Bill states an individual can already find out if data relating to him or her has been accessed on foot of a disclosure request. That provision is already open to the person. Amendment No. 6 includes the statement: "A report under this section shall contain details of the numbers of prosecutions actually commenced as a result of investigations." The Minister and I will differ on this amendment and I will conclude my deliberations on it.

An Ceann Comhairle: Does the Deputy plan to withdraw the amendment?

Deputy Seán Sherlock: I do not; I will press it.

Amendment put and declared lost.

Deputy Seán Sherlock: I move amendment No. 7:

In page 8, line 25, after "fit," to insert the following:

"and with due regard to the rights of any person whose life, bodily integrity or property was sought to be vindicated in the criminal investigation concerned,".

The purpose of this amendment is to ensure that some balance is brought into the question of how to deal with a minor breach of section 6. If there is a breach, the user will be notified and may be compensated, but if any prosecution is to be quashed as a result of the destruction of the evidence on the orders of the Data Protection Commissioner, there must be some consideration of the rights of the victim concerned. That is the justification.

Deputy Peter Power: This is an amendment which the Government thought, on an initial reading, it could accept or table an agreed amendment which would make the same point as Deputy Sherlock seeks to make. Having given the matter serious and detailed consideration, the Government has decided that not only would it not improve the Bill but it could, unfortunately, give rise to unintended consequences, which I would like to set out. Where a complaints referee concludes that a provision under section 6 has been contravened, the referee may direct the relevant law enforcement authority to destroy the data in question and any copies of it and make a recommendation for the payment of compensation to the applicant. The amendment seeks to qualify both responsibilities of the referee by obliging him or her to have due regard to the rights of any person whose bodily integrity or property was sought to be vindicated in the criminal investigation concerned.

I have some doubts as to whether the question of the payment of compensation should be so qualified, as amendment No. 7 seeks to do. However, destroying data which may be needed at some future time to vindicate the rights of a victim is an entirely different matter. The use of the word “may” in section 10(5) gives the referee discretion about whether to order the destruction of the data and-or the payment of compensation. It is a permissive provision. It would be unnecessary to specify the criteria which the referee has to take into account as he or she already has the discretion to consider whatever relevant factors he or she feels are necessary. To highlight one area in the Bill above all others on which the referee has to use his or her discretion could result in the discretion being used in all cases. The amendment would also depart from the regime established in the Interception of Postal Packets and Telecommunications Messages (Regulation) Act 1993 and the Criminal Justice (Terrorist Offences) Act 2005. It would be undesirable to give the referee different statutory responsibilities for what are, ultimately, the same duties.

For those reasons, after an initial favourable consideration, the Government is not disposed towards accepting this amendment.

Deputy Seán Sherlock: I do not wish to justify it. I withdraw the amendment.

Amendment, by leave, withdrawn.

Deputy Seán Sherlock: I move amendment No. 8:

In page 10, line 11, to delete “Acts 1889 to 1995” and substitute “Act 1889”.

This is a technical amendment. Others more learned than I advised that it be made. We tabled a similar amendment on Committee Stage which the Minister rejected. On reflection, the Minister’s reply to our amendment highlighted a further problem, namely, that there is a contradiction between the reference to section 1 in line 10 and the reference to a number of Acts in line 11. The reference in section 1 means that we should refer to the 1889 Act in the singular. As only individual Acts have sections, we have tabled a revised wording on Report Stage.

Deputy Peter Power: Before Committee Stage the Minister consulted with the Parliamentary Counsel and the Office of the Attorney General about a similar amendment which, on the face of it, appeared to raise a valid point. The proper citation for the Prevention of Corruption Acts is the Prevention of Corruption Acts 1889-2005. However, the reference to section 1 of the Act changes everything. It is not the intention to allow data to be retained for the investigation of every offence under the Prevention of Corruption Acts. The only offence in respect of which data can be retained is section 1 of the Public Bodies Corrupt Practices Act 1889, which created an offence for any member, officer or agent of a public body to corruptly solicit, receive or agree to receive and give a gift, loan, fee, reward or advantage. The maximum custodial penalty under section 2 of the Act is two years imprisonment.

Sections 1 and 2 of the 1889 Act were amended by section 38 of the Ethics in Public Office Act 1995. It raised the maximum custodial penalty to seven years. This means the relevance of the inclusion of the Prevention of Corruption Acts in the Schedule is of persons being investigated for offences under section 1 of the 1889 Act, alleged to have been committed before the commencement of section 1 of the 1995 Act. For this reason, the reference to the Prevention of Corruption Acts, that is, section 1 of the 1889 and 1995 Acts, is correct, although there is at least one other correct way it could have been drafted. However, it would not be correct to refer, in the reference to the Prevention of Corruption Acts, to any Act after the 1995 Act, as the amendment of section 1 of the 1889 Act was in the 1995 Act. I realise the point I am making raises questions of a technical, drafting nature and, as I said at the outset, the amendment tabled by Deputy Sherlock seemed to be correct or at least raised a valid point, but the parliamentary draftsman has convinced the Minister that the reference in the Bill is correct.

Deputy Seán Sherlock: I withdraw the amendment on that basis.

Amendment, by leave, withdrawn.

Bill received for final consideration.

An Ceann Comhairle: When is it proposed to take Fifth Stage?

Deputy Peter Power: Now.

Communications (Retention of Data Bill) 2009: Fifth Stage.

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

The Dáil divided: Tá, 122; Níl, 24.

Tá

Ahern, Michael.
 Ahern, Noel.
 Andrews, Chris.
 Ardagh, Seán.
 Aylward, Bobby.
 Bannon, James.
 Barrett, Seán.
 Blaney, Niall.
 Brady, Áine.
 Brady, Cyprian.
 Brady, Johnny.
 Breen, Pat.
 Browne, John.
 Bruton, Richard.
 Burke, Ulick.
 Byrne, Catherine.
 Byrne, Thomas.
 Carey, Joe.
 Carey, Pat.
 Clune, Deirdre.
 Collins, Niall.
 Conlon, Margaret.
 Connaughton, Paul.
 Connick, Seán.
 Coonan, Noel J.
 Coughlan, Mary.
 Coveney, Simon.
 Creed, Michael.
 Cregan, John.
 Creighton, Lucinda.
 Cuffe, Ciarán.

Cullen, Martin.
 D'Arcy, Michael.
 Deenihan, Jimmy.
 Dempsey, Noel.
 Devins, Jimmy.
 Dooley, Timmy.
 Doyle, Andrew.
 Durkan, Bernard J.
 English, Damien.
 Enright, Olwyn.
 Fahey, Frank.
 Feighan, Frank.
 Finneran, Michael.
 Fitzpatrick, Michael.
 Flanagan, Charles.
 Flanagan, Terence.
 Fleming, Seán.
 Flynn, Beverley.
 Gogarty, Paul.
 Hanafin, Mary.
 Harney, Mary.
 Haughey, Seán.
 Hayes, Brian.
 Hayes, Tom.
 Healy-Rae, Jackie.
 Hoctor, Máire.
 Hogan, Phil.
 Kehoe, Paul.
 Kelleher, Billy.
 Kelly, Peter.
 Kenneally, Brendan.

Tá—continued

| | |
|----------------------|------------------------|
| Kennedy, Michael. | O'Donnell, Kieran. |
| Kenny, Enda. | O'Donoghue, John. |
| Killeen, Tony. | O'Dowd, Fergus. |
| Kitt, Michael P. | O'Flynn, Noel. |
| Kitt, Tom. | O'Hanlon, Rory. |
| Lenihan, Brian. | O'Keefe, Batt. |
| Lenihan, Conor. | O'Keefe, Edward. |
| Lowry, Michael. | O'Keefe, Jim. |
| McCormack, Pádraic. | O'Mahony, John. |
| McEllistram, Thomas. | O'Rourke, Mary. |
| McEntee, Shane. | O'Sullivan, Christy. |
| McGinley, Dinny. | O'Sullivan, Maureen. |
| McGrath, Mattie. | Perry, John. |
| McGrath, Michael. | Power, Peter. |
| McGuinness, John. | Power, Seán. |
| McHugh, Joe. | Reilly, James. |
| Mansergh, Martin. | Ring, Michael. |
| Mitchell, Olivia. | Roche, Dick. |
| Moloney, John. | Ryan, Eamon. |
| Moynihan, Michael. | Sargent, Trevor. |
| Mulcahy, Michael. | Scanlon, Eamon. |
| Naughten, Denis. | Sheahan, Tom. |
| Neville, Dan. | Sheehan, P.J. |
| Nolan, M.J. | Smith, Brendan. |
| Noonan, Michael. | Stanton, David. |
| Ó Cuív, Éamon. | Timmins, Billy. |
| Ó Fearghaíl, Seán. | Treacy, Noel. |
| O'Brien, Darragh. | Varadkar, Leo. |
| O'Connor, Charlie. | Wallace, Mary. |
| O'Dea, Willie. | White, Mary Alexandra. |

Níl

| | |
|------------------------|---------------------|
| Broughan, Thomas P. | Ó Snodaigh, Aengus. |
| Burton, Joan. | O'Shea, Brian. |
| Costello, Joe. | O'Sullivan, Jan. |
| Gilmore, Eamon. | Penrose, Willie. |
| Higgins, Michael D. | Quinn, Ruairí. |
| Howlin, Brendan. | Rabbitte, Pat. |
| Lynch, Ciarán. | Sherlock, Seán. |
| Lynch, Kathleen. | Shortall, Róisín. |
| McGrath, Finian. | Stagg, Emmet. |
| McManus, Liz. | Tuffy, Joanna. |
| Morgan, Arthur. | Upton, Mary. |
| Ó Caoláin, Caoimhghín. | Wall, Jack. |

Tellers: Tá, Deputies Pat Carey and John Cregan; Níl, Deputies Emmet Stagg and Seán Sherlock.

Question declared carried.

An Ceann Comhairle: The Bill will now be sent to the Seanad.

Road Traffic Bill 2009: Second Stage (Resumed).

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

An Ceann Comhairle: Deputy O'Dowd was in possession but as he is attending a committee meeting, I call Deputy White.

Deputy Mary Alexandra White: I wish to share time with Deputy Cuffe.

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

Deputy Mary Alexandra White: First, let us give credit where credit is due. There has been a significant reduction in road deaths in this country in recent years and the Road Safety Authority and the Department of Transport deserve credit for some of this. The introduction of random breath testing, albeit belatedly, the lowering of the blood alcohol limit several years ago and the increased road safety awareness are all to be welcomed. Last year, however, there were 240 deaths and, if one thinks of the misery of each of those single deaths to each of those individual families, we still have far too many deaths on our roads.

I welcome the proposed reduction in the blood alcohol content limit. The current limit in Ireland is higher than in most European countries and this country should be doing all it can to reduce tolerance of any drink driving. I know there has been a heated debate from all sides of the House in recent weeks on the issue of whether someone should be able to have a pint or two and still drive. There is a kind of acceptance in Ireland of taking a drink and perhaps driving home. We need to scotch that, if Members will pardon the pun. Even though I come from a rural constituency, I do not believe anybody should be drinking and driving in this country.

We must have a wider debate about how we treat alcohol in our culture and why we drink so much compared to other countries throughout the European Union. We need to have that debate in order to change the culture so that socialising and alcohol do not have to be inextricably linked.

The prevalence of drink driving as a major contributor to road deaths must be mentioned again in the context of the Bill because it is estimated that at least 30% of drivers fatally injured in accidents were over the current 80 mg limit, and this estimate is conservative, so people in the know tell me. We also know from research conducted in other countries that where the limit has decreased, it has positively influenced the drink driving attitudes of those who are likely to drive with high blood alcohol concentrations.

We must protect the social fabric of rural Ireland and some have rightly emphasised this point and also the importance of rural transport links. I am glad that money has been provided for rural transport systems. I was involved in a ringlink local transport system some years ago which greatly benefited the social interaction of people in the Carlow, Kilkenny and south Tipperary area. My party will be pushing for increases in resources for this programme in the years to come.

The provision for introducing mandatory alcohol testing at the scene of an accident is also welcome. However, I know too of constituents who have tragically died in car accidents where it was wrongly assumed that alcohol was the cause. This brought great suffering to individual families whom I know, when it was presumed that an individual had taken alcohol when in fact the poor person had died of a heart attack. This measure is equally important in helping both the victims of car accidents and the wider public to know definitively whether drivers in a car accident had consumed alcohol.

I welcome the provision for the introduction of impairment testing for drug content in drivers. Driving while under the influence of drugs is quite prevalent, according to numerous studies. We have all heard stories of people who have been driving erratically when it is not due to alcohol, and people assume it is possibly impairment due to taking drugs while driving. I understand there were over 600 offences for driving or being in charge of a vehicle while under the influence of drugs. The field impairment test, FIT, system for testing drivers is somewhat effective and it is important that Ireland embraces any new forms of drug testing technology

[Deputy Mary Alexandra White.]

speedily so there is a comprehensive system of drug driving detection. Section 10, which allows gardaí to carry out preliminary impairment testing, is to be welcomed.

I come from a big, sprawling rural constituency, Carlow-Kilkenny, where many of my constituents live in isolation and where, if one does not have a car, one could be deemed to be a rural hermit. This highlights the importance of the rural transport system. I know some public houses provide transport home but we are a country with a significant ageing demographic. The only recreation for some of those lonely people in my constituency, and indeed across the country, who have no access to a car and who might be widows or widowers, is the local pub. This is a fact of Irish life. Pubs should be able to provide either a cup of tea, a mineral or a drink and we should provide public transport to allow people interact with each other.

My firm conviction is that we should not be taking any drink on board and then driving. Some years ago, I came across a desperate crash. I was the first car behind that person. I do not know whether this was an alcohol-induced accident but I still have nightmares about going up to the door of that car and the driver falling out onto the road in front of me, dead. It was an appalling scene. The family was devastated and I too was devastated. I had come across this accident in the middle of the night and I do not know whether the cause was drink or tiredness, but any life lost in a road accident is one too many. We must do whatever we can to protect lives. The social fabric of Ireland is one thing but in my view we can protect the social fabric of Ireland and still not have drink on board when driving.

I welcome this Bill. The debate about blood alcohol concentration should be part of this wider debate. I have strong views about the culture of alcohol in this country. The steps to increase road safety, as provided for in this Bill, are very welcome and I commend the Bill to the House.

Deputy Ciarán Cuffe: This House has often discussed the challenge of lowering drink driving limits and the debate tends to repeat itself. If half the time spent discussing how bachelors get to the local pub was devoted to discussing how elderly women get to bingo, the country would be far better off. We tend to be obsessive about the difficulties faced by people in getting to the local pub to have a drink. There are other things to enjoy in a local pub other than downing alcohol which should be acknowledged in this debate.

It is important to ensure that the Garda Síochána has adequate staffing resources to deal with the changes this legislation will produce. There is a very real danger that in lowering the blood alcohol levels we might end up with people being found guilty of having a lower level of blood alcohol while others with higher levels of blood alcohol are not being tested. This could happen if the resources of the Garda Síochána are not augmented. This is an important matter for the Garda Commissioner's consideration with regard to the enforcement of this legislation and I have no doubt he will do so.

This Bill is a good step forward. We need to consider what our European neighbours are doing in this regard to reduce the number of road traffic accidents. The car lobby tends to concentrate on how fatality rates have decreased significantly in recent years and this is to be welcomed. However, I would point out the significant number of people who have been severely injured and who must undergo long periods of recuperation and are often maimed for life. Improved medical techniques mean they will survive the initial accident.

Due to the increased number of cars on the roads, many people are afraid to venture out at night or even during the day, in particular, those who are more vulnerable such as the elderly and children. In some cases they can be effectively barred from going out onto the road. Most of us remember growing up and playing on the road beside our house. Today, it would be unthinkable to send a child out onto many of the roads and streets where in the past children

could have played and called around to their pals. People have become prisoners in their own homes and prisoners in their cars. Children have to be driven to play dates rather than walking down the road or across the road to meet their pals. Children are being driven to school rather than walking or cycling. We must realise that many people's traditional urban or rural environment has been taken away from them as it is becoming increasingly difficult for a young parent to walk a buggy down a country road without being in fear of his or her life that an SUV will come around the corner and he or she and the buggy will have to leap into the ditch. These are symptoms of the dangerous over-reliance on higher speeds and on using cars for so much of our lives. There are two sides to the story.

The issue of speed limits has been a topic in the news of late, both in my own area of Dún Laoghaire and in Dublin city centre. Most local authorities have undertaken a review of speed limits over the past three or four months. In some cases, speed limits have risen and, in others, they have been lowered. There has been a focus on the introduction of the lower speed limit of 30 km/h and some organisations such as the Automobile Association have urged us to get rid of some of the 30 km/h limits that have been introduced.

We must ask what sort of city we want. This is the question I ask myself each day as I head out with my children to school. Sometimes we cycle and some days I drive. I would like to think that in a few years, I can let them cycle to school by themselves, or that we can head into town for a match in Croke Park on our bikes. The new 30 km/h speed limit has already made this easier and safer. One of the biggest fears parents have is the fear that their children will be run over. I know that the slowing down of traffic in the centre of our towns and cities will improve safety for children and their parents.

I want to be able to let go of my children's hands and not be petrified if they are out of sight for a split second. In Dublin city centre, over 15,000 people live within the 30 km/h zone, as well as thousands of children. Many are hostages in their homes due to speeding traffic. There are at least half a dozen schools within the 30 km/h zone, as well as many colleges. Lower speed limits will make it easier to walk or cycle, rather than be driven to school. Why should children not be able to walk to the shops, cycle to school or explore their neighbourhood without parents having to keep a watchful eye out for speeding cars? These days, children need the exercise. If the new 30 km/h limit is enforced, it should be possible for a seven year-old to cycle to school by themselves. When I cycle with my children, the hairs on the back of my neck stand up when I hear the noise of a speeding car behind me.

Older people will also benefit from lower speed limits and will not be forced to run across roads when the pedestrian light turns green. I am sick and tired of having to shout when I am having a conversation in the middle of Dublin, on Dame Street or on the quays. Even in the past few weeks the change is noticeable and one can rediscover the art of conversation on a city street and this can be good. People will also get a decent night's sleep again if cars are not speeding through town in the middle of the night.

In Dún Laoghaire, a 30 km/h speed limit was introduced at the beginning of the year without controversy. It now means that I can cross George's Street without some boy racer coming out of nowhere when I am half way across the road. The new speed limit does not mean that traffic is banned, rather that it just has to slow down a little.

The new dublinbikes scheme has been a great success. The new speed limits build on that success and will improve the city for residents and tourists alike. I am pleased that we are following the good example of cities like Amsterdam or Copenhagen. The new speed limits are already calming the traffic and making our city more civilised. They are saving lives. Statistics for the past 15 years show that in the 30 km/h area of Dublin city centre, 48 people lost their lives and the majority of them were pedestrians and cyclists. We know that even in the

[Deputy Ciarán Cuffe.]

past five years for which figures are available, eight people died, all of whom were pedestrians. We do not have full statistics for last year's additional fatalities involving cyclists. The lesson is very important — traffic has to slow down. This Bill does a lot to make that happen. The new speed limits, which will be added to by this Bill, are already calming the traffic and making our towns, cities, villages, highways and byways more civilised. Long may that continue.

Deputy Pat Breen: I welcome this opportunity to speak on the Road Traffic Bill 2009. As previous speakers have said, the purpose of the Bill is to amend the Road Traffic Acts 1961 by introducing mandatory alcohol testing for drivers involved in car collisions and preliminary impairment testing to detect whether drivers are under the influence of alcohol or drugs. The Bill will also introduce a penalty for drink driving that does not result in an automatic disqualification period.

It is fine to introduce a Bill of this nature, but the reality is that much of the existing legislation in this area is not being enforced. The Road Traffic Act 2002 introduced the penalty points system as a deterrent to motorists and to make our roads safer. It provided that 69 motoring offences would incur penalty points, but just 42 of those penalty point offences have been implemented. Approximately 33% of people have picked up penalty points. It is quite easy to pick up penalty points. Some 17,000 motorists have escaped penalty points by not bringing their driving licences to court. We discovered last week that penalty points have been applied to the licences of just 727 of the 18,333 drivers who have been convicted since 2003 of offences which require a mandatory court appearance. This chaos must be sorted out if we are to show we are serious about reducing the number of fatalities on our roads. It is most welcome that the number of such fatalities decreased to approximately 250 last year.

As many of those who commit penalty point offences are driving on foreign licences, penalty points cannot be imposed on them. I note that section 47 of the Bill sets out the sanctions that will apply when road traffic offences are committed by those driving on foreign licences. I would like the Minister to answer a few questions in this regard when he replies at the conclusion of Second Stage. How will the penalty points system be applied to the licences of foreign drivers? I have examined the Bill. The Minister, Deputy Dempsey, has confirmed that in 2008, penalty points could not be applied in 192,686 cases. In 142,588 of those cases, penalty points could not be applied because foreign driving licences were presented. That is a serious flaw in the current legislation. Over the years, many foreign nationals have been involved in driving accidents.

When will the new European-style driving licences will be introduced? It is expected that these credit card sized licences will have been introduced in most European countries by 2013. We should be using such licences, in which microchips are inserted, because the current type of licence is totally outdated. If one carries the current licence in one's wallet, it will usually end up crinkled. The Department should introduce the necessary legislation to ensure the new kind of licence is available. Under the present system, local authorities do not issue renewal notices when driving licences are out of date. As the system is not computerised, it cannot be used to remind those who have genuinely forgotten to renew their licences. The new type of licence will improve security and enforcement. When a garda stops a motorist at a checkpoint, he or she will be able to tell immediately whether the driver has been disqualified. We need to get a computerised system up and running in order that gardaí can instantly access information about each driver's history.

There have been many cases of people continuing to drive, and getting involved in accidents, even though disqualification sentences had been imposed on them by the courts. It is a serious matter. If we use driving licences that allow information to be accessed instantly, the situation

will improve. In the absence of a universal computerised system, whereby information on driving licences can be shared across EU borders in parallel with information on offences committed in other EU jurisdictions, we will have more of the same. I accept that the EU convention on driving disqualifications was adopted by member states in 1998. When the Minister speaks at the end of this debate, perhaps he will elaborate on the use of the convention. What arrangements are in place between the UK and Ireland? I appreciate that the approach adopted between Northern Ireland and the Republic of Ireland is a little more technical. I would like the Minister to update the House on the legal issues in this regard.

I would like to hear the Minister's views on the question of whether penalty points that have been given to foreign licence holders will be applied to their driving licences in the future. When he is finalising his licensing proposals, I hope he will ensure that drivers will continue to be able to renew their licences in local authority offices. They should be also able to do it online, as they can when they are renewing their motor tax. I do not see any point in centralising the issuing of driving licences when the system will be computerised. In rural Ireland, there appears to be a policy of centralising everything. This is having a significant impact on the quality of life of many people in rural areas.

One of the main talking points in this legislation is the proposal to reduce the permitted blood alcohol level from 80 mg/100 ml to 50 mg/100 ml. I do not condone drink driving. I agree with the 87% of drivers who believe it is wrong. Statistics are available to support that position. Alcohol is estimated to be a contributory factor in one in three fatal collisions. In one in four fatal crashes, the driver had consumed alcohol. That is a huge statistic. Campaigns to stop drink driving have been effective and have worked well.

I understand it is planned to reduce the funding for drink driving campaigns. I hope the Minister will have a rethink in that regard. Some of the graphic advertisements we see on our screens, having been produced by the Road Safety Authority, are very effective. I do not agree that funding in this area should be reduced. All of these measures, such as those involving the family members of people who were killed in accidents, are very valuable as we fight to ensure the number of people killed on our roads is kept to a minimum. One road death is too many. We have all been touched by road deaths in our communities or in our families.

As the Government has a majority, this Bill will be passed and stricter rules will be introduced to reduce the permitted blood alcohol level even further. In that context, I suggest that the Government needs to address an extremely worrying development in rural Ireland. Life in rural Ireland is being killed off by drink driving and other social changes. The non-existence of public transport in rural areas is sounding the death knell of many rural pubs. One rural pub goes out of business every day of the week. That is a serious statistic. We all know how important the pub is to rural communities. Recent figures produced by Deputy O'Mahony revealed 833 pub licences were not renewed between 2007 and 2009, some 42 of which were in Clare. I have been concerned for some time by increased isolation in rural areas. The local pub, post office, Garda station and agricultural advisory office are closing down in rural areas, particularly in my constituency. It was not so long ago that the then Minister for Finance, Charlie McCreevy, stood in the House promising decentralisation for every town. Now the programme is in tatters and will not happen in many cases. It appears the Government is moving in the opposite direction of centralising services away from the people.

According to the 2006 census, up to 40% of the population, of which 9% have a disability, live in rural areas. They find it difficult to get around whether to pick up their pension or attend a hospital appointment, becoming more isolated. A rural transport initiative is already in place, such as the Clare accessible transport project. I urge the Government to support the

[Deputy Pat Breen.]

extension of pilot rural transport schemes to end the isolation of people in rural areas. Several rural areas along the west coast could be chosen for the project. Such an extension would help out rural areas by sustaining visits to the traditional pub, very much part of the rural scene. From talking to many publicans, I know they have been crucified already as their business was reduced with people not having as much money to spend as in the past. The drink-driving issue has added to this effect on their business. For many, the local pub is their only social contact. A rural transport initiative would allow people to go to the pub without the risk of drink-driving.

While I accept one death on the roads is one too many, recent OECD statistics noted a reduction in road deaths of 39 to 240 people last year. The report also noted drivers aged between 18 to 20 years are the high risk category. The Bill gives power to the Garda to carry out a preliminary impairment test on drivers suspected of being under the influence of drugs. While I am not suggesting all young people drive under the influence, new statistics issued by the Central Statistics Office show the number of drivers detected for drink and drug-driving in the first nine months of 2009 rose to 600, a 22% increase from the previous year. However, the Garda do not have a device like the breathalyser to detect drug-driving instantly. Instead, a preliminary impairment test will have to be carried out. Will the Garda be trained to carry it out?

Why can we not move to random drug-testing? We can learn much from international best practice. In Victoria, Australia, the deputy police commissioner reported that 23,000 roadside drug tests were conducted last year, during which 341 offenders were caught with an illegal substance in their system, one in 67 drivers. The Victoria Government will increase the roadside drug-testing programme across the state with 35,000 tests to be carried out this year. Ireland should follow in the same direction. The UK's transport department recently launched a £2.3 million advertising campaign warning drivers of the dangers of driving under the influence of drugs. One in ten young male drivers in the UK admitted to drug-driving. I am sure the statistics here would be no different. The first national report of the Health Research Board stated of the 885 drug-users who died between 1998 and 2005, two in every three died as a result of a road traffic trauma.

According to the Road Safety Authority, 30% of fatal road accidents were caused by poor road surfaces. This year, after the recent flooding and big freeze, many national primary and secondary road surfaces, particularly in County Clare, were left in a deplorable condition. Many local authorities did not have the resources to treat many local and regional roads which has made their surfaces even worse. The Clare county manager informed me he could only deal with the national primary and secondary roads. The Government will cut €200 million from the local and regional roads budget from €607 million in 2009 to €411 million this year.

Clare has suffered a massive 35% reduction in road funding allocations from central government. I was surprised to hear Deputy Timmy Dooley, a constituency colleague, claiming on local radio that the Opposition was scare-mongering in this regard. If he were listening to Clare FM every morning, he would hear his own party's county councillors speaking out about the appalling conditions of the roads in Clare.

The shortfall in funding will mean many of our roads will be left in a bad state. While I accept the council has done its best by prioritising funding for roads, unfortunately, poor road surfaces contribute to 30% of road fatalities. In turn, 71% of road fatalities occur on the rural road network. I urge the Minister for Transport to re-think the cuts to local authority roads funding. People in rural areas are entitled to the same attention given to the rural road network as that given in urban areas. I suspect the Killaloe bypass will be long-fingered again because of the funding shortfall. It is important our road surfaces are in a good condition and safe to

drive on. If we want to reduce the number of deaths on the roads, their surfaces must be properly maintained.

The Government has failed to deliver on commitments given when previous road safety legislation was introduced. The roll-out of speed cameras, for example, has been delayed. Once again, the House is debating a Bill which aims to improve road safety but does not adequately address the issues, particularly drug-driving which is on the increase. I hope the Minister will address some of the issues I have raised and I look forward to his responses.

Deputy Bobby Aylward: I propose to share time with Deputy Mattie McGrath.

I roundly condemn drink driving by anyone, anywhere, at any time. Drink driving is a deadly, vile and selfish act. It is irresponsible, it is reckless, and it can never be justified. It is an ugly feature of Irish social life that we must eliminate. We must re-educate people about their behaviour and attitudes to drinking and driving. We must influence positive and safe driving habits and ensure we promote and evolve a mature mentality and a culture that rejects drink driving. We must be pragmatic in our approach to the penalties regime and how the law reacts to punish those who breach it.

In any circumstances, a car is a lethal weapon and when the person in control of that vehicle has had their reflexes or their judgment impaired in any way, that weapon becomes even more treacherous. They say the nut behind the wheel is the most dangerous part of any car and, sadly, that is a fact. We all know the graphic and horrifying statistics of the bloody carnage on our roads every day and night of the week. Drink driving and inappropriate speed on the roads have visited too much devastation and grief on too many people, on too many families, and on too many communities throughout the country. Fatalities and injuries on the roads, while decreasing slightly thanks to the stiff and unforgiving approach we have adopted, must be reduced drastically. Even one death or injury on the road where drink is a factor is one too many.

There are instances where we can control our driving behaviour and where we can prevent accidents from happening and, therefore, we should reinforce our legal framework to make sure we all know that drink driving is simply unacceptable and that it is punishable. For the past number of months, since this Bill was first published, I have been pretty vocal about certain aspects of this Road Traffic Bill and its implications. I have not been alone in voicing my concern about the impact this Bill will have on particular sections of our community. That is not to say I condone some degree of drink driving but rather that we must be realistic and reasonable in defining the offence and in providing for a proportionate penalty for that offence and subsequent offences.

While I categorically and absolutely decry drink driving, this Bill is far too harsh on more experienced drivers and older drivers. This legislation will inflict a severe and detrimental blow on all those men and women who live in rural Ireland, up the highways and byways nobody frequents and where there are no social amenities. For many of those people, many of whom live alone in very remote and isolated areas, the only social outlet they have is a visit or two to the local pub during the week. Are we to deprive these country people of the only simple social pleasure they may have? Are we to consign them to a lonely and miserable existence with no opportunity for them to enjoy a convivial drink or two in the locality with their neighbours and friends? These people go to the local pub because they enjoy the interaction with their community, they hear the news, exchange the gossip and yarns and put the world to right over a half one or a couple of bottles. They go to the pub for company and conversation and not to drink themselves into a stupor. That social outing is critical to these rural dwellers, many of whom may have only one driver in the house. The remainder of the family is dependent on that driver for everything. The pub is the only point of congregation for many of them during

[Deputy Bobby Aylward.]

the week. They look forward to getting out of the house and to keeping in touch with what is going on locally and nationally. That occasion sustains them and, for the more senior people, it staves off loneliness and it promotes constant and regular integration with the local community and its events.

It is no shame to say the local public house continues to be the focal point for most people in the countryside. However, with the proposals contained in this Bill, I fear the rich and lively rural pub culture will be killed off once and for all. I am afraid that will have serious and profound reverberations for rural Ireland and its population. We cannot tolerate institutionalised loneliness, which can lead to all sorts of associated problems such as depression and even suicide in some cases. These are very real and very serious issues in rural Ireland and I do not want this Bill to contribute to the isolation and alienation many country people feel already. If we pass this Bill in its present guise, we will succeed in enforcing isolation and detachment among people in rural communities. People will be afraid to travel anywhere for one drink and will not be able to find transport home. Isolation and depression are common and are inter-linked. They are not unique to country people but are more prevalent in rural areas. By discouraging people from mixing and socialising and eventually turning them into hermits, some of the measures contained in this Bill will actively serve to alienate people from their neighbourhoods and will further compound the problems of loneliness and desolation often experienced by country dwellers. We should not introduce legislation that victimises people who are not necessarily the prime targets of the proposed law.

Many of the people to whom I refer probably drive to the town only once or twice a week and perhaps a couple of times a week to the local pub. Many of them live alone and the only social stimulation available is a visit to the pub. Some of them would be of the view that it is just not worth the journey to have one drink and then go home. There are others who will enjoy a few drinks at night time. They behave responsibly and will get a lift or a taxi home only to be caught the next morning on their way to work. In these circumstances, we must show some leniency in terms of the applicable sanction when it relates to a second or subsequent offence. To be put off the road for any length of time following a second offence is very severe. I imagine anyone who loses the driving licence would be confined to terrible hardship and marginalisation.

It is incumbent on us to legislate for the greater common good and I realise it is not possible to legislate separately and differently to cater for the social needs and demands of one cohort but we must recognise the circumstances and the situation peculiar to country people. Anyone living in rural Ireland, by definition, needs vehicular transport to go about their business on a daily basis. They must be mobile to go to work, to go shopping, to go to religious ceremonies, to go to matches or to go to the mart. The licence and the car are indispensable to their livelihoods and lifestyles. They are fundamental to anyone not living in the town or the city, all of whom have public transport and taxi services passing their doors day and night. The country people are totally reliant on their own devices and the kindness of neighbours and friends to get around the place.

My sincere sense is that this Bill and, particularly the penalties it imposes, are draconian in so far as it will potentially affect all those who live outside the towns and cities. Generally, I accept it is reasonable to lower the blood alcohol content, not least to bring us into line with the rest of Europe and Northern Ireland. Regarding drivers who are not learners, novices or professionals, I am prepared to accept section 26 of this Bill, which deals with an alternative mechanism to a court prosecution for certain categories of offences. The new administrative fixed penalties include a three point penalty and a fine of €200, which is a reasonable response to the drivers whose blood alcohol levels are in the range of 50 to 80 mg. This will apply only

to those who are not currently disqualified and who have not availed of this option in the previous five years.

I am genuinely alarmed, however, to note that a second or any subsequent offence will attract a disqualification period of one year if it is prosecuted in court and a conviction is secured. This is excessive, restrictive and unduly punitive. I would far prefer a system of graduated penalty points where on accumulation of a certain number of points over a given period the driver becomes automatically disqualified for a specified period, much the same as with speeding, where 12 points must be accumulated before disqualification. It is unreasonable to jump from three penalty points to a one year disqualification for a second offence given that the blood alcohol level in question is relatively low. As little as one drink could bring a driver into the 50 mg to 80 mg range. That is not a vast amount of alcohol and to think one could incur a 12 month disqualification on a second offence is ridiculous. Furthermore, it relates to established drivers and not to those who are newly qualified, inexperienced or professional. I imagine the latter category is in the minority.

I urge the Minister to rethink this aspect of the Bill. I ask him to carefully consider if it is fair, reasonable, just and rational to impose a one year disqualification on a second-time offender. This Bill represents an over-reaction to drink driving on the lowest scale and we appear to be moving in the direction of zero tolerance. My attitude is that we must allow the punishment to fit the offence and it must be proportionate. My preference is that drivers caught in the 50 mg to 80 mg range should be given a fair chance. A fair approach is to introduce a graduated system whereby three points are imposed for three successive and similar offences and on accrual of 12 points, or committal of a fourth offence in this category, the driver should be subject to a one year disqualification automatically. Such an amendment would be entirely fitting and would continue to act as a robust deterrent to anyone who is tempted to drive while under very little influence of alcohol. Some of my colleagues have described this Bill as a blunt and unnecessary attack on the fabric and integrity of rural Ireland. To some extent, that is true. I will lend my fulsome support to any instrument that will eliminate the slaughter on our roads and serve to cultivate an attitude of responsibility, maturity and respect for all road users. I agree that the Bill sends out the correct signals in terms of encouraging good driving behaviour, but it goes too far in meting out penalties for established drivers who fall into the 50 mg to 80 mg range.

I ask the Minister to address the reality that nothing is being done about motorists who drive under the influence of drugs. There must be adequate deterrents in the case of drugs and speeding. The current penalty point provisions in this regard are not being adequately enforced.

Deputy Mattie McGrath: I am pleased to have an opportunity to address the Road Traffic Bill 2009. Like my colleague, Deputy Aylward, I wish to state clearly that I do not condone drink driving under any circumstances. I was involved in a controversy at the end of last year where my comments were taken totally out of perspective. I take this opportunity to reiterate in the House that I do not condone drinking and driving. Moreover, I never said that people would be more relaxed and would drive better after drinking a number of drinks.

The Bill before us was signalled in the programme for Government. As the representative of constituents in south Tipperary and parts of west Waterford, there are certain aspects of the Bill with which I am deeply dissatisfied. I accept that we must legislate for the greater good of all, but I am from the school of thought that education and a carrot and stick approach are the way forward with any Bill. Legislation introduced in the last decade and more has had a major impact on driving conditions and, above all, has succeeded in reducing fatalities and serious injury. No garda wants to make that house call, often in the middle of the night, to bring the sad news of a death or serious injury in a road traffic accident as a result of drink driving.

[Deputy Mattie McGrath.]

I compliment those persons injured in road accidents and the families who have lost loved ones who participated in recent road safety campaigns. All of us can see their sheer perseverance and anguish in trying to get the message out, particularly to young people, to reduce their speed and not to drink or take drugs before driving. Our roads must be treated for what they are, a tool to be used calmly, sensibly and with respect for all users. However, we must all adhere to the facts. I am critical of the Road Safety Authority in respect of its reports and its back-up for these legislative proposals. The authority was selective in the extreme, relied mainly on the advice of one good doctor, Dr. Declan Bedford, and did not take into account the broader impact of these changes. I agree with Deputy Aylward that we must take an holistic approach to road safety. In the case of young drivers and learner drivers, for example, we should examine the option of introducing a different scale of penalties and a different licensing system.

We cannot merely legislate with a stick all the time. We must also have a carrot in the form of encouraging people to educate themselves about acceptable driving behaviour. I compliment the Garda Síochána's traffic corps on the work it has done in my county. By and large there has been a sea change in terms of compliance with existing legislation. Young people are showing the way in this regard because most of them are strongly opposed to drink driving and will automatically book a taxi or make other arrangements to ensure they and their friends get home safely after a night out. On the other hand, people in later years, especially in rural areas, are often not used to travelling by taxi and may not have access to a taxi service. Some of them do not have telephones and may not have had electricity for very long. For such people the provisions of the Bill are somewhat draconian.

As I said, I do not condone drink driving, which has been the cause of far too many accidents, but I am here to represent the greater good of the entire community, including rural areas. Rural life has been severely depleted in recent years for a plethora of reasons. We have seen a flight from the land, followed by a 2009 budget that was severe and drastic.

Deputy Bernard J. Durkan: Hear, hear.

Deputy Mattie McGrath: I am speaking honestly. Farming has become a lonely occupation, with people often not seeing anybody else from one day to the next. Rural pubs are paying rates, taxes and wages and are providing valuable services. Many communities do not have other facilities to convene meetings, facilitate a card game, allow mourners to meet after a funeral and so on. Many teetotallers frequent these pubs for the table quizzes, for example, that are held to fund-raise for local communities. I am disappointed the Bill does not include an incentive whereby publicans who purchases eight-seat vehicles to provide a transport service for customers could reclaim VRT or VAT against the purchase. Many publicans are already providing that type of service in rural areas and in smaller towns. When I walk out of this building tonight I will see dozens if not hundreds of taxis waiting for a fare. In rural areas, however, it is difficult to get a taxi, there is usually a long wait and it is very expensive. Publicans are being helpful in organising means of transport for customers. However, we are a difficult race of people; we may decide we do not want to leave at the same time as everybody else or we may not be on the best of terms with Johnny from up the road. That is part of our psyche in rural Ireland. The situation must be dealt with more sensitively.

I am very critical of the Minister because he did not listen to the case I and some of my colleagues had to make in respect of this legislation. It was not the first time he did not listen to his backbenchers or to his representatives. It is a pity he is not here tonight because I wanted to say this to him in the House. He does not listen to Members' concerns. He did not listen in

the case of e-voting, he did not listen on the dual mandate and he has not listened on this Bill. He listens to Gay Byrne and Noel Brett. Authority has been given away from elected Members to various agencies. Where were those agencies during the recent severe weather conditions?

Deputy Bernard J. Durkan: Hear, hear.

Deputy Mattie McGrath: The Minister was on holiday, as is his entitlement, and there was insufficient salt to grit the motorways. Those motorways have been built to high standards but surely it is just as important that they be maintained. Letting thousands of motorists onto roads that were unsafe for driving was reckless. Somebody should have been held responsible for the shortfall of salt.

Recent research from Sweden shows that people who drink at home alone have more health problems than those who do not, including psychiatric difficulties. Rural isolation is a significant problem and we must seek balance in addressing all these matters. I have been a board member of Ring a Link, a three-county rural project, since its inception. The group has done great work in providing rural transport and thus combating rural isolation for men, women and children in various communities, but it only operates from 8 a.m. until 6 p.m. We examined the possibility of running it later at night but could not do so because we do not have the funding. An extension of the operating hours would make a great dent into the rural isolation problem by allowing people to get about with greater flexibility.

Publicans have been bashed in the course of this debate and there have been disparaging references to the vintners' lobby. The reality, however, is that people who go to the pub will have a measured drink in a controlled environment and at the end of the night will know exactly how much they have consumed. The majority of publicans are responsible, will look after customers, take their keys, ensure they have a lift home or have somebody to collect them. As a father of eight children, I am in favour of responsibility, but we also need balance and that is what is missing.

I am very critical of the powers afforded to the Road Safety Authority. I am not saying that road safety cannot be improved. However, the way to achieve this is to praise drivers for being among the safest in Europe and to encourage excellence through education. Batting people with an endless succession of sticks may be favoured by the Minister, Deputy Dempsey, and his friends, but people in this country do not take kindly to such aggression and abuse of power, and they never did. It is better for legislators to bring people with them, to legislate for all the people fairly and honestly and not to stigmatise any group. I hope this Bill can be amended to allow us all to live our lives safely, peacefully and honestly.

Deputy Aengus Ó Snodaigh: Tá mé ag tabhairt tacaíocht don Bhille seo. Measaim go bhfuil sé léirithe ag fianaise go gcuireann fiú an méid is lú d'alcól isteach ar ábaltacht an tiománaí. Ardaíonn aon alcól an dainséar go mbeidh duine i dtimpiste marfach. Nuair atá gluaisteán á thiomáint ag duine atá faoi thionchar alcól nó drugaí, is gléas marfach é. Is de thairbhe tiomáint faoi thionchar alcól tromlach na dtimpistí nach bhfuil ach gluaisteán amháin iontu. Tá baint ag an alcól le trian de timpistí marfacha. Tá méadú ag teacht chomh maith ar an líon dóibh siúd atá ag tiomáint faoi thionchar drugaí mídhleathacha agus drugaí dleathacha.

The final point I was making as gaelige is that the incidence of drug driving is increasing. The Garda Síochána need to be given adequate resources to test not alone for alcohol but illegal drug taking by drivers. I was interested to hear that 30% of accidents are caused by poor road surfaces, a figure which I believe will increase in the forthcoming year given the state of our roads not alone in rural Ireland but in this city and the response of Government through its measly grant to local authorities, which was robbing Peter to pay Paul, to help them address the problems that have emerged, including to repair potholes. Unless we invest in a

[Deputy Aengus Ó Snodaigh.]

proper road structure and address some of the blackspots which remain visible throughout the country, pothole candidates, such as those who surfaced during the campaign in this regard in Cavan and Monaghan some 15 or 20 years ago, will resurface. We appear to be returning to those days owing to the failure of Government to invest in non-national roads and to ensure they are maintained at a standard that is safe to drive on. Since Christmas, I have driven on many roads in this State that are unfit for driving. They are a danger not alone to drivers but to people walking or cycling on them and will lead to further accidents.

As regards the main topic of this Bill, we need preventative education and good, strong laws to challenge the widespread culture of impaired driving that has existed for many years. For many people it was, and continues to be, socially acceptable to drive while impaired. We need to do more by way of education to ensure the message goes out to each person with an inkling to get behind the wheel of a lethal weapon having consumed one, two or up to ten drinks, that this is not acceptable and that he or she is as guilty of anti-social behaviour as are the thugs who maraud the streets at weekends. We need to develop a culture of drug and alcohol free driving. While young people in particular have a role to play in this regard, there is an onus on older people to show they too can change and lead by example.

We need to be more imaginative in this respect. I do not believe the proposal in this Bill to lower the drink driving limit will curb the culture of drink driving. We need to examine other initiatives, including making available adequate resources to the Garda Síochána to enable it to carry out random breath testing. The widespread public education campaigns, some of which are already underway, need to be hammered home through many more media. We must accurately inform drivers of the full effects of alcohol and in regard to how long it takes alcohol to work its way through the system, including how long after one consumes alcohol one should wait before it is safe to drive a vehicle. We must promote the culture of alcohol and drug free driving. This campaign should be implemented not alone at primary and secondary school level but in the general community through youth clubs and pubs and anywhere alcohol is sold.

While I support the Bill, I take major issue with its failure to address any of the issues around public transport services, in particular rural transport provision. There is no point in Government implementing this Bill unless it gets its act together quickly on the issue of public transport, in particular rural transport. I heard Deputies Mary White and Aylward lament the shortfall in our existing rural transport network. Deputy White stated that if a member of a future Government she would seek further investment in this area. The Deputy does not appear to have noticed that her party is in Government now and is presiding over cuts in the rural transport initiatives and public transport area. Perhaps somebody needs to switch on a light somewhere.

I am a Dublin TD and I can, as Deputy McGrath stated, if I wish, go for a drink in the safe knowledge that I can hail a taxi outside my home, pub or workplace easy enough, despite it being costly to do so. While we were told deregulation would drive down prices, prices have increased owing to the taxi regulator's attitude towards costs. I can also avail of public transport in this city, including a bus service, the Luas and DART service. There is a problem in that all public transport systems finish early. Bus services finish at 11.30 p.m. and the Luas finishes at 12.30 a.m., even at weekends. This needs to change. We must provide a form of transport beyond taxis for people wishing to enjoy themselves beyond 12.30 a.m., at weekends in particular. I suggest the Minister examines this proposal.

People in rural Ireland do not have the luxury of being able to hail a taxi from a rural pub even though there are tens of thousands of licensed taxis in this country. Also, an issue of cost arises owing to the distances and so on involved. In some cases, taxis will not travel to isolated areas. Deputies on all sides of the House have demanded that the Government make proper

investment in rural transport initiatives not alone in respect of the service provided up to 6 p.m. in Tipperary and other areas but beyond that to ensure social services are available to those who are isolated in small towns that are haemorrhaging people, businesses and a social network. Rural communities have seen their small towns and villages suffer disproportionately after recent budgets. They have seen their local post offices, Garda stations, and in many cases pubs, shops and businesses close down. They have seen many businesses pulling out which has led to a significant jump in unemployment in those areas. On top of that, they have seen cuts in the public transport provision in recent months. Far from investing in public transport, the Government has seen fit to stand by while our already inadequate public transport services have been cut to oblivion. In truth the Government is anti-rural Ireland and anti-public services. Successive cuts to Bus Éireann have further undermined rural and regional transport. Some 100 Bus Éireann routes are due to be cut or severely curtailed in coming months. Last summer the night-time rural transport programme was phased out. Such illogical cuts of successive projects cannot be defended.

The Bill needs to be grounded in the provision of adequate rural transport services but it is not. For many in isolated rural areas the only social time people get is when they go to the local pub on a Friday or Saturday night. Without adequate rural transport the Government is consigning thousands of people to a very lonely life.

The 2002 national rural transport survey found that 380,000 people described the rural transport system as inadequate for their needs. The result of this survey showed that 24% of the total rural population perceived themselves as having unmet transport needs while in some key groups the proportion with unmet needs was higher. While private transport is the predominant mode of transport in rural areas, some 20% of people in Counties Mayo, Sligo and Leitrim do not have access to a car. The nonsensical cuts to public transport and rural transport in particular will come back to haunt the Government. Those cuts will not contribute to the purpose of the Bill and will not help in curbing the culture of drink driving; they may do the opposite and encourage it. The Government and in particular the Green Party need to wake up to these cuts and, particularly in the context of this debate, to the cuts in the night-time rural transport initiative. I never understood the logic to the cuts especially from the Green Party point of view. That party claims to be about saving the environment and reducing emissions, yet it is encouraging people to get into their private cars and drive even though there was quite a successful initiative to get people to leave their cars at home and take some form of public transport. The Green Party presided over the cut in that initiative.

I heard Deputy Cuffe say that the need for Garda resources was a matter for the Garda Commissioner. In many ways it is a matter for the Commissioner to ensure that when we pass this Bill, the Garda has the resources and equipment required to test people on a more regular basis to ensure that nobody driving over the alcohol limit escapes detection and the penalties that go therewith. At the end of the day, however, the Commissioner can operate only within a budget. If the Garda has a budget that prevents it from recruiting and promoting gardaí and from giving them the basic tools such as e-mail or broadband in stations, the appropriate cars and radio equipment, it is a matter for the Government and not the Commissioner. Deputy Cuffe should focus on his Minister for Justice, Equality and Law Reform in this regard.

Many pubs in rural areas have invested in minibuses to bring the punters to and from the pub in a safe and efficient manner. That has worked and I have enjoyed the company of people whom I would never have met before in some of these minibuses going to and from pubs over the years. This scheme needs to be explored in greater detail. Not only does it create jobs, but it also encourages an environmentally friendly way to go home and creates local community transport networks. Is there a mechanism which would make this cheaper and encourage other

[Deputy Aengus Ó Snodaigh.]

publicans to get involved in such a scheme? Perhaps the Minister can be encouraged to look again at the night-time rural transport programme and to reinitiate it and reinvest in it.

Another bugbear of mine is that it is cheaper for me to drink a pint of an alcoholic beverage than to drink a pint of a mineral. Yet I can go to the shop next door and find it is much cheaper. There must be some way for us to encourage publicans to make minerals and bottled water cheaper for those who are the designated drivers and who wish to enjoy the company and craic in a pub at night but who are getting penalised because they are not drinking alcohol. There needs to be an initiative to encourage publicans to mark down the prices of soft drinks. There was an initiative for a while whereby those who indicated to the publican they were designated drivers got a free mineral or whatever. Perhaps that needs to be reconsidered.

We need to ensure this legislation is passed and I will support it. I support the lowering of the drink-driving limit.

Deputy Charlie O'Connor: Thank God for that.

Deputy Aengus Ó Snodaigh: Did the Deputy think I was going to give out again?

Deputy Charlie O'Connor: I was worried for a minute.

Deputy Aengus Ó Snodaigh: The Bill on its own is not the answer. The cuts to public transport services must be reversed. Further cuts need to be revisited and initiatives should be considered. One initiative would fall under the remit of the Road Safety Authority and the Minister for Transport. There is a gadget that prevents a car's ignition being turned if a driver is over the limit. Some insurance companies have encouraged new cars to have such a device. This legislature could set that as a minimum requirement for all new cars being sold. It is a matter for legislation and should be considered. I do not know how successful the mechanism is, but I have seen it promoted. Perhaps we should consider setting a new standard for cars being sold on the Irish market and throughout the European Union as a whole so that we can ensure people — even if they wanted to — could not get behind the wheel of a car.

Sa deireadh thiar, níl aon loighic leis an méid atá an Rialtas tar éis a dhéanamh maidir le seirbhísí iompair poiblí. Tá gá láithreach le infheistiú substaintiúil sna seirbhísí seo, seirbhísí poiblí, ní amháin do thairbhe an timpeallacht ach i dtaca leis an cheist atá á plé againn anseo. Tá, dar ndóigh, athrú cultúir i gceist. Cultúr ólacháin atá sa tír faoi láthair agus síleann daoine go bhfuil gá dóibh a bheith dearg ar meisce chun sult a bhaint as an saol. Chomh maith le sin, síleann go leor acu go bhfuil sé de cheart acu tiomáint abhaile. Is tragóideach ar fad é an líon daoine óga, ach go háirithe, atá tar éis bás a fháil le blianta beaga anuas ar a mbealach abhaile ón teach tábhairne nó ó rince. Caithfear stop a chur leis an slad sin. Cuideoidh an Bille seo, ach ní féidir leis an obair iomlán a dhéanamh. Caithfidh an tAire agus an Rialtas díriú isteach ar na ceisteanna móra — córas taistil, acmhainní don Gharda Síochána agus infheistiú ceart i mbóithre na tíre. Muna dheineann siad an infheistiú sin agus muna dheisíonn siad na bóithre, cosnóidh sé i bhfad níos mó ar an Stát go fadtéarmach, mar tosóidh na bóithre ag titim as a chéile go hiomlán agus beidh ar an Stát iad a athnuachan ar chostas i bhfad níos mó. Molaim an Bille seo. Tá súil agam nach gnáth Bille é agus go ndéanfar beart de réir briathar chomh luath agus a mbeidh sé rite.

Deputy Charlie O'Connor: I welcome the opportunity to make a brief contribution to this important debate. I note that the Road traffic Bill 2009 restates and amends the Road Traffic Acts 1961-2006 and introduces new provisions to reduce the current blood alcohol content for professional and novice drivers as well as introducing alcohol testing for drivers involved in collisions and roadside preliminary impairment testing, to detect drivers who are under the

influence of drugs or alcohol. In addition, the Bill will introduce a penalty for drink driving that does not result in an automatic disqualification period. I shall preface my remarks by welcoming the attendance in the House of the Minister of State, Deputy Tony Killeen and I wish him well for whatever the future holds for him.

It struck me, listening to Deputy Ó Snodaigh's excellent contribution that over the next ten minutes I could talk about everything, starting with bus services. I could call for a bus service for Bohernabreena in rural Tallaght, talk about the prices of—

An Leas-Cheann Comhairle: I am sure the Deputy would not do that.

Deputy Charlie O'Connor: I am going to chance my arm, anyway. I could talk about mineral prices because I am a 7-Up drinker. As the Deputy said we get fleeced, although I am quite happy to go into all the pubs in Tallaght. I presume I could also talk about the Luas, Shamrock Rovers, unemployment, Garda resources, Gay Byrne and even Deputy Mattie McGrath, but I shall try to contain myself.

Deputy Bernard J. Durkan: No, not that.

Deputy Charlie O'Connor: This is important legislation and I shall leave it to the Minister, Deputy Noel Dempsey, to defend himself, which I am sure he will do very well. I am always happy to—

Deputy Bernard J. Durkan: Back him up.

Deputy Charlie O'Connor: Absolutely, and that is what loyal Fianna Fáil people do, as Deputy Durkan well knows. I shall send him the handbook some day, if he wishes.

The Minister is always responsive to me when I contact him as regards different issues in relation to Dublin South-West, very often about the extension of the Luas which I am glad to see is now progressing.

Deputy Bernard J. Durkan: There is no Luas for poor old Mattie.

Deputy Charlie O'Connor: This is relevant to the Bill because if people get on the Luas they will not be tempted to drive their cars when they have a few drinks. One can go from Tallaght all the way to the Point Theatre, enjoy a night out and not worry about consuming alcohol and driving home.

Deputy Bernard J. Durkan: Mattie could do that when the Luas goes to Tipperary.

Deputy Charlie O'Connor: Indeed, and I had better tell the Deputy—

An Leas-Cheann Comhairle: Will Deputy Durkan not encourage Deputy O'Connor to stray from the subject matter of the Bill? Such encouragement is not helpful.

Deputy Charlie O'Connor: I have no complaint about my good friend, Deputy Bernard Durkan. I am a big fan, and I am not going to tease him. It is important, however, to make the point that I do not have any country blood and I am not, therefore very well versed on rural issues or as regards how this matter affects rural people. I have received extensive correspondence, including some from pubs and lounges in the Dublin area, since I am happy to represent a Dublin constituency. I try to keep in touch with people in all the pubs in Tallaght, Greenhills, Firhouse, Templeogue and even Bohernabreena.

Deputy Bernard J. Durkan: He missed one.

Deputy Charlie O'Connor: No I did not — and Brittas. I am listening to what people are saying and am particularly interested in what Members are telling me about the difference, as they see it, between life in an urban area — where there is easy access to public transport or one can walk home without difficulty — and that in rural Ireland. I do not know a great deal about rural communities apart from the one in Bohernabreena. I could not expect Deputies from the depths of the country, for example Wexford, Clare, Carlow, Kilkenny or Kildare to understand that I do not have any expertise in matters that affect these counties. I appreciate what colleagues are saying, however, as regards matters being very difficult for people in rural communities. The Leas-Cheann Comhairle knows that I visit Wexford on occasion as my sister has a property in Ballygarrett, a nice place. I recall meeting a man there early one morning and telling him that I had come down for a rest, and to hide. He replied that I would not be doing that there since half of the people of Tullaght were down on the beach.

As a Dublin person who gets lost when he lives in Tullaght, I am cognisant of the challenges rural people have as far as this legislation is concerned, from my occasional visits to Wexford. Different colleagues have articulated the position and although I did not hear all of Deputy Mattie McGrath's speech, I suspect he covered that, which is fair enough.

Deputy Bernard J. Durkan: He was fairly comprehensive, all right.

Deputy Charlie O'Connor: I have some sympathy in that regard while at the same time having other experiences in my area. That is why I am prepared to fight all the time for the further provision of decent public transport in all areas. Certainly, that is true of the greater Dublin region, and I have already talked about the Luas and the difference it has made to many communities, not alone on my side of the city but right throughout Dublin.

I have always tried to use public transport, where possible. People need to be able to trust public transport and to know that when they go for a night out and have a few drinks, it is a safe means of transport on which to return home. I hope the provisions of this Bill will continue to get that message through right across communities.

The Leas-Cheann Comhairle has been very patient with me, but I just want to stray for a second to put on record my strong support for an organisation in Tullaght, the Dublin Bus Community Forum, of which I am a member. It comprises a partnership between Dublin Bus management and unions, the community, public representatives and the Garda. We have had a number of challenges in recent times as regards anti-social behaviour which threatened the bus service. That puts people who want to go home after a few pints, having watched a match, in danger. Wherever they go, whether it is Molloys, the Penny Black, Aherne's or any of the other pubs — I shall probably get into trouble for mentioning only a few, but I had better mention the Cuckoo's Nest——

Deputy Bernard J. Durkan: Continue on.

Deputy Charlie O'Connor: ——they come out of the pub to be told that the bus service is not available. That is why I very strongly support the Dublin Bus Community Forum. I appreciate the fact that the Leas-Cheann Comhairle has allowed me to make that point. I shall continue to fight to ensure that public transport is available to all our communities. If we can restore confidence among communities in the public transport service, this would be very compatible with some of this Bill's provisions. I hope the Minister takes the opportunity at some point to agree with me in that regard.

For a number of years the Government has been taking a strategic approach to road safety, something I strongly welcome. The current road safety strategy 2007-12, which takes us up to

just before the general election, is the most ambitious and comprehensive to date. I thought Deputy Durkan would have heckled me on that one, but no.

Deputy Bernard J. Durkan: I was waiting for the Deputy to go further along the road.

Deputy Charlie O'Connor: I am sure he will be happy to have an election in 2012.

An Leas-Cheann Comhairle: Deputy O'Connor should not encourage heckling. There is one minute left before we move to other business.

Deputy Charlie O'Connor: I thank the Leas-Cheann Comhairle. The strategy identifies 126 specific and measurable actions and is being implemented by a number of agencies and Departments, including the Department of Transport, the Road Safety Authority and the Department of Justice, Equality and Law Reform. Its core objective is to reduce the number of fatalities to no greater than 16 per million or 252 per annum, by 2012. Obviously, that is something towards which I believe we should continue to work. I thank the Leas-Cheann Comhairle and his colleague for affording me the opportunity to make a brief contribution to this debate. I look forward to listening to other contributions, to supporting the Bill when it comes back before the House and to taking an interest in the committee business.

7 o'clock

Debate adjourned.

Private Members' Business.

Unemployment: Motion (Resumed).

The following motion was moved by Deputy Leo Varadkar on Tuesday, 23 February 2010:

“That Dáil Éireann:

- notes that the Standardised Unemployment Rate (SUR) has risen to 12.7% which is the second highest in the EU;
- notes that there are 434,700 people on the live register, the highest figure ever;
- notes that there are 85,910 people under the age of 25 on the live register;
- notes that unemployment is higher now than when the Government came to power in 1997;
- recognises that unemployment has social as well as economic consequences;
- regrets the reality that tens of thousands of young people have to emigrate once more; and

calls on the Government to:

- put job creation and job retention at the centre of its economic strategy;
- reduce the level of employer's PRSI;
- establish a national internship programme to provide part-time placements in the public, private and voluntary sectors for unemployed graduates with funding for a higher degree or diploma;
- provide 10,000 second-chance education places for former construction and other workers with no basic qualifications;

- mandate the Office of Public Works, FÁS and local authorities to take on all redundant apprentices to ensure that they can complete their training;
- provide 5,000 more Community Employment schemes;
- introduce workshare to subsidise the incomes of employees put on short-time and to provide them with training when they are not working as an alternative to redundancy; and
- introduce a major stimulus to the economy by implementing Fine Gael's 'New Era' proposals."

Debate resumed on amendment No. 1:

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

"recognising the challenge faced by many individuals and families following the loss of a job or income during this difficult economic period;

acknowledges the strong matrix of State supports the Government has put in place to support job-seekers and families;

endorses the initiatives taken by Government to strengthen national competitiveness and underpin future economic growth;

supports the actions set out in the Government's smart economy framework and its commitment to make Ireland a leading knowledge and innovation economy;

commends the Government for implementing policies which aim to support enterprises, protect jobs and stimulate employment creation, including the:

- ongoing work of Enterprise Ireland and IDA Ireland in attracting foreign direct investment and promoting enterprise development and employment growth in businesses;
- introduction of the enterprise stabilisation fund that will invest €100 million in supporting viable but vulnerable companies in these difficult economic times;
- introduction of the employment subsidy scheme, which will between 2009 and 2010 invest €135 million in either directly or indirectly supporting approximately 80,000 jobs;
- introduction of a PRSI exemption for employers creating new jobs this year;
- maintenance of substantial capital investment programme across Government;
- implementation of key Government programmes such as the €425 million Rural Development Programme 2007-13, creating some 12,000 jobs, and the €1 million invested each week in the home energy savings scheme, providing work for some 3,690 registered contractors; and
- provision of key infrastructure, such as broadband, where the number of subscribers has doubled during the lifetime of this Government, and electricity generation from local renewable sources, where at 15% we have already met our target for 2010; and

commends Government actions in support of activation and training for the unemployed through:

- its €1 billion funding for a range of labour force measures which will assist those who have lost their jobs;

- the prioritisation of four cohorts of the unemployed, including those under 35 years of age, for priority access to the State's support services for the unemployed;
- the doubling of capacity in job search support services for the unemployed;
- the continued increase in the number of training and work experience places for the unemployed, now standing at 147,000 places;
- the introduction of new initiatives such as the work placement programme which includes special provision for graduate places;
- the almost 10,400 training places for the unemployed and those on short-time working that will be provided by Skillnets and FÁS this year;
- special arrangements to assist 4,000 redundant apprentices progress their apprenticeships;
- the provision of opportunities for 166,000 learners, including those with basic skills needs, in further education programmes operated by VECs across the country;
- the 140,000 full-time enrolments in our higher education sector, an increase of 4.5% over the 2008/09 academic year;
- the 1,000 free or highly subsidised part-time places offered to unemployed graduates to pursue postgraduate programmes in higher education institutions last autumn;
- the significant increase in the numbers of back to education allowance recipients to over 18,000;
- the maintenance of service provision for communities and the provision of employment for 2,600 participants under the rural social scheme and 2,700 participants under the community services programme; and
- the introduction of a new €20 million labour market activation fund aimed at supporting innovative proposals that are progression orientated for the unemployed.”

—(Minister of Enterprise, Trade and Employment, Deputy Mary Coughlan).

Deputy Róisín Shortall: With the permission of the House I wish to share time with Deputy Joanna Tuffy.

At the outset, I thank the Fine Gael party for tabling this motion. It is very timely and concentrates the minds of people in the House on the single most important issue facing us, that is, the very significant problem of unemployment and all the difficulties it brings in its wake. The Labour Party supports the broad thrust of the motion and we believe it contains many worthwhile elements.

I will refer to some things the Government should do as a matter of urgency and to the question of jobs, job creation, job protection and job sharing. The whole world of work must be at the top of the Government's agenda. Regrettably, this has not been the case and increasingly in recent times we have seen the Government devote more and more time to shoring up its own position, sorting out problems between Government partners and firefighting within the Government coalition. In recent times, for one reason or another there has not been the required clear focus on jobs.

In January of last year, the Government promised a jobs summit. Clearly, a jobs summit is urgently required. It was badly needed in January of last year when the Government promised it to the social partners, and if it was necessary early last year, it is all the more urgent and essential that such a summit take place now. We must include all the players involved in

[Deputy Róisín Shortall.]

industry, job creation, the various groups working with unemployed people, investors and the political system. We must bring together all these people to brainstorm and to come up with achievable proposals which can make a difference in creating employment. In the absence of this long-promised summit the President of the country has taken an initiative in this area, which is welcome. However, this is work the Government should be doing but has not done. At this stage, the Minister should give a commitment to arrange to hold the jobs summit promised 14 months ago and for which we are still waiting.

Several other issues must be dealt with speedily. I refer to the question of job sharing. At present, a great number of people who have no work are searching on a daily basis. At the same time, there is another group of people who probably have too much work to do, including those who wish to reduce their workload for one reason or another, such as to provide care for children or elderly relatives or to take breaks for study and so on. There is great potential for expanding job sharing arrangements and this should be examined. Only yesterday, I received a call from a person who works in FÁS who wishes to work term time but is not allowed to do so. There is potential for job-sharing throughout the economy and we should promote it actively. We must ensure job facilitators are available for people to come forward with business ideas to start their own businesses.

In this regard, I draw the attention of the Minister of State to the fact that the post of job facilitator in the Navan Road social welfare office has been vacant since last November. People who want to get off the dole are coming forward with ideas about setting up their own businesses and they seek support from the jobs facilitator who should be in place but, unfortunately, the job is vacant. I call on the Minister of State to give early attention to filling this vacancy because it has a critical role in terms of helping people to move from welfare to work.

There is a need to streamline services in respect of job placement. We must create one-stop-shops involving FÁS, the VECs, the Department of Enterprise, Trade and Employment and the Department of Social and Family Affairs. The services are too scattered at present and it is too confusing for people. We should take a one-stop-shop approach. Also, we must expand on the graduate and apprentice placement programme while avoiding the displacement of jobs. There is great potential for expanding this scheme and a small allowance should be paid to people to cover the cost of participation in work.

In the area of social welfare, there is a need for greater flexibility in respect of people being able to take on part-time, temporary and casual work. The system should be more flexible to facilitate people in availing of any job opportunities that arise. We should not put barriers in people's way, however short the duration of work.

There is an urgent need for reform of the family income supplement, the rent supplement and the mortgage interest supplement to ensure there is a financial disincentive for people to give up the work to benefit from the social welfare supports in place. Flexibility is required in the way in which these schemes operate to enable people to take up whatever opportunities are available, even short-term opportunities. Principally, the Government must place a clear focus on this single most important issue facing the country and which, regrettably, it has not done to date.

Deputy Joanna Tuffy: I refer to the part of the motion dealing with job creation. There is a good deal of discussion about entrepreneurship. Often the role models put forward are of people singled out based on their ability to make a quick buck. There are examples of people who have set up companies. I do not mean to single out the public relations industry but there have been such examples in the area of providing public relations services. There are examples of people who set up a company, sell it some years later and make millions. There is an element

of the bubble in this model of entrepreneurship. The creation of jobs in future must involve entrepreneurship that is not only about business people making a quick buck using the latest trends, but which is linked with innovation, science, technology, engineering and the arts and humanities.

A Nobel prize winner in physics this year was educated in a polytechnic college in the UK in the 1960s. Basically, he invented fibre optic cabling which is what our mobile phones are based on. This was the invention of someone educated in the equivalent of our institutes of technology. It has changed the face of modern communications, made our lives easier and made it easier to keep in touch with people. This is the type of area Ireland should develop in future and on which our vision of job creation should be based. We should produce and educate such graduates and invest in the education of science, technology, the arts and humanities and so on. Obviously, business should be included in this plan as well but we must consider the bigger picture which involves all these people working together to create jobs. It is not simply a matter of business people, business graduates and so on.

Entrepreneurship should not only involve the private sector. The public sector can be also involved. There is a long history of job creation in public enterprise in Bord na Móna and other agencies. We should work together and produce a vision involving the public and private sectors to create sustainable jobs that are not simply based on making a quick buck but based on a knowledge economy which takes into account all elements. It is about making something substantial, concrete and sustainable that will improve our lives.

Minister of State at the Department of Education and Science (Deputy Seán Haughey): I wish to share time with the Minister of State, Deputy Mansergh, Deputies Conlon, Collins, Michael McGrath, White and the Minister, Deputy Ó Cúiv.

It is clear that two of the key pillars that will underpin our future economic growth are a recovery in our competitiveness and the skills base of our labour force. Given that the issue of competitiveness is broad ranging, we are adopting a consistent approach across Government. Issues associated with prices, education, the labour force and infrastructure are but a few of those fundamental to determining Ireland's competitive position. The Government is proactively implementing policies that will see our competitive edge sharpen progressively.

Price levels have fallen in Ireland by 2.6% in the past 12 months while prices in the European Union rose by 1.4% on average. The European Commission expects Ireland to continue making gains in price competitiveness in the coming two years. We are continuing to invest substantially in capital infrastructure. The 2010 budget included a commitment of Exchequer capital investment of more than €39 billion for the period 2010 to 2016. At 5% of GNP, the 2010 allocation of €6.4 billion is proportionately very high by comparison with levels of capital investment across the Union.

As Minister of State responsible for lifelong learning, I am particularly aware of the importance of investing in the continued development of the skills and competencies of our workforce. This investment will provide Ireland with a competitive advantage in the area of skills and allow it to continue to attract and support companies from the ICT and green sectors. These sectors will be the key drivers of economic and employment growth.

By investing in developing the skills of the unemployed, we will be assisting them in obtaining employment as quickly as possible. We will be improving the skill levels of the entire workforce, which will stand to us in future years. The Government is, therefore, attaching the greatest priority to assisting and supporting those who find themselves unemployed.

Since the international economic crisis began, the Government has introduced a wide range of measures designed to provide increased and enhanced learning opportunities for the unem-

[Deputy Seán Haughey.]

ployed. The Department of Enterprise, Trade and Employment is investing more than €1 billion this year in initiatives designed to support those in vulnerable employment and the unemployed. As a consequence of this substantial investment, the Government has expanded substantially the job search and guidance supports provided by FÁS employment services. The FÁS training and work experience provision has more than doubled since 2008 and can now cater for 147,000 unemployed people in a full year.

From an education perspective, we have witnessed a significant expansion in the number of places that have been provided in recent years. This year alone will see 166,000 learners participate in a further education course. These courses are an integral part of the country's provision for the unemployed and include the 6,000 places on the Youthreach programme, which is aimed specifically at upskilling early school leavers. The number of full-time enrolments in higher education is expected to be more than 140,000 for this academic year, representing an increase of 6,000 over the last academic year.

In addition to this mainstream provision, a number of innovative initiatives were taken by the higher education sector to support unemployed people in returning to education. These initiatives are assisting almost 3,000 people in participating in short courses or undergraduate or postgraduate programmes in the universities and institutes of technology.

I have outlined what has been done in terms of lifelong learning and described the provision for further education and training in the context of our current unemployment circumstances. I have highlighted the need to upskill and reskill our workforce and I have outlined what needs to be done, particularly through upskilling, for those who are unemployed or at risk of unemployment. The substantial increase in the State's education and training provision for the unemployed at a time of severe constraints on the public finances reflects the Government's firm commitment to assisting the unemployed. I assure the House that this commitment will remain until Ireland is well on the way to economic recovery.

Minister of State at the Department of Finance (Deputy Martin Mansergh): Let me refer to the passage in the Fine Gael motion that refers to the OPW and FÁS. The OPW has already met FÁS regarding the placement of redundant apprentices to enable them to complete their training. We have indicated our willingness to co-operate with FÁS initiatives in this respect, subject to agreeing mutually satisfactory arrangements. In the 1980s, the OPW participated in a similar scheme and in recent years has assisted individual redundant apprentices on an *ad hoc* basis. FÁS was advised it should prove possible to take on between 15 and 25 redundant apprentices in any given year, depending on variable factors, such as the availability of work of a suitable range and quality, which is essential to maintain apprenticeship standards.

The OPW engages in many craft activities that are either rare or unique in Ireland. It is likely that placements could be arranged in stone masonry, stone cutting, national monument preservation, carpentry, thatching, fitter welding, some of the building maintenance trades and, at a later stage perhaps, some of the wood-working crafts.

The Tánaiste and Minister for Enterprise, Trade and Employment outlined in great detail last night the various employment support measures being undertaken under the aegis of her Department. In this regard, one must note the value of the FÁS training and community employment schemes. The rural social schemes under the aegis of the Minister for Community, Rural and Gaeltacht Affairs must be also considered. The schemes provide invaluable employment support, particularly in the countryside.

There is probably a misprint in the Fine Gael motion. It states "provide 5,000 more Community Employment schemes" but I presume it should read "provide an extra 5,000 placements in community employment schemes". Maybe it makes no difference.

Deputy Damien English: The Minister of State is showing his intelligence now.

Deputy Martin Mansergh: The arts sector has great employment potential. I attended the Irish Film and Television Awards dinner last Saturday night and noted the Irish film industry is enjoying a relatively successful period. It is an example of an area with considerable employment potential.

Without repeating what I said this morning when I was given extra time by the Leas-Cheann Comhairle, I must state that getting the fundamentals of our economy right, including by correcting our public finances, will, as in the late 1980s, play a crucial role in improving prospects for recovery and, some time later, for employment.

An essential incentive involves maintaining a low rate of corporation tax. This depends on maintaining economic viability and independence. This is within the EU and euro zone framework and has been the thrust of Government policy in the past 18 months or more. Apart from a rise in demand abroad, cost competitiveness, lower costs and a correction in our competitiveness will do a great deal for employment.

Increasingly, I find myself in agreement with a former leader of Fine Gael, Mr. Alan Dukes, who writes regularly in the public print media, including the *Irish Farmers' Journal*. He has a relatively hard-boiled attitude to economic issues but speaks much sense. Reference is constantly made to the Fine Gael "NewERA" document, which is an excellent policy discussion document. However, I do not believe it describes what a Fine Gael-led Government would do in office.

Deputy Damien English: It is very clear. The Deputy does not understand it.

An Ceann Comhairle: Deputy, there is a limited amount of time.

Deputy Damien English: I am sick of this crap.

Deputy Martin Mansergh: I do not believe raiding the National Pensions Reserve Fund for a short-term stimulus make sense, nor does extra borrowing through bonds. I certainly have not heard anything from the Labour Party to suggest——

Deputy Damien English: So we should just sit back and do nothing.

Deputy Martin Mansergh: ——it would agree with the vesting company. However, it plausibly fills a policy gap at this time——

Deputy Damien English: It is a solid document and makes sense.

Deputy Martin Mansergh: ——but it does not describe what a Fine Gael-led coalition with the Labour Party would even begin to do.

Deputy Margaret Conlon: I am grateful for the opportunity to speak in this debate. For me and my colleagues in the Government, jobs are at the heart of everything we do. This is a very difficult period. It is a very difficult, life-changing experience to find oneself unemployed. We must ensure that people are retrained and get back into employment. In the short time available to me I will focus on the importance of, and need for, retraining and reskilling people, although my colleague, Deputy Haughey, also focused on this area in his contribution.

Statistics show that the majority of young people who are unemployed have low educational attainment, and 20% of young unemployed people are under 25 years of age. During the Celtic tiger economy many of these young people were lured away from education by the attraction of a weekly wage, particularly into the construction and retail sectors. The money was very

[Deputy Margaret Conlon.]

good and they were attracted by it. With the arrival of the downturn, however, they had no qualifications and skills, so it was bound to be extremely difficult for them to find alternative work. The main focus for these young people who now find themselves out of work must be the acquisition of skills to ensure they become employable. Without skills and qualifications, they will end up on the periphery of the labour market. People with qualifications and skills are more likely to be successful in finding a job.

I welcome the initiative of the Tánaiste and Minister for Enterprise, Trade and Employment and her Department to fund 147,000 training and work experience places this year. Being unemployed cannot become a way of life. Living on social welfare and State benefits should not and must not be a more attractive option than getting a job. People on social welfare must be encouraged to develop skills for the employment market. We have quite correctly placed FÁS at the heart of microscopic investigations. I believe FÁS must become more relevant for the clients it serves. However, there are many excellent people throughout the country working for FÁS and giving tremendous service at local level to provide the unemployed with opportunities to ensure they will secure employment in the future.

The Ceann Comhairle is indicating that I must conclude. Education has a major role to play. Many people are seeking to pursue third and fourth level education and I welcome the fact that the institutes of technology and the universities project an increase of 4.5% in education over last year. People have the desire to acquire new skills. Nobody of 25 years who secures a job today will be doing the same job when they retire. People will change their career paths and will need to reskill and retrain. I believe that should be a lifelong experience because we must maintain the reputation we have earned for producing the brightest and the best, and be ready to embrace the upturn when it comes.

Deputy Niall Collins: This is an important debate and I am grateful for the opportunity to participate in it. The Government is taking active measures to support people who are in jobs at present through the enterprise stabilisation fund, the enterprise subsidy scheme and the PRSI exemption which was announced in the budget. It has also tried to create jobs through Enterprise Ireland and the IDA. The itineraries conducted by those agencies, whereby they bring investors to areas throughout the country and particularly to the mid-west, are published. The view that nothing is happening should not be conveyed by this House because that is far from the case.

In the course of a similar debate a number of months ago Deputy English and I debated the Fine Gael “NewERA” document. He challenged what I said. The document promises 105,000 jobs to be delivered by Fine Gael. I asked how many would come to my constituency of County Limerick and to the mid-west region. I was told at the time to read the document. I have read it a number of times but there is still no indication in it for the people I represent in Limerick—

Deputy John O’Mahony: How many will the Deputy forecast?

Deputy Niall Collins: —of how many jobs Fine Gael plans to deliver.

Deputy Damien English: It is a national policy.

Deputy Niall Collins: The Minister of State, Deputy Mansergh, has described it as unworkable. I agree it is unworkable and the people I represent are still scratching their heads and wondering where these jobs will emerge under the “NewERA” document. It is not workable and Limerick is still waiting to hear—

Deputy John O’Mahony: How many jobs will the Deputy forecast?

Deputy Niall Collins: I will put another challenge to the Members across the floor. They control three local authorities in the mid-west region. Limerick County Council, Limerick City Council and Clare County Council are dominated and controlled by Fine Gael. There has been no reduction in local government charges by the Fine Gael dominated local authorities——

Deputy Damien English: There is a reduction in local government funding.

Deputy Niall Collins: ——and those charges are very important to business and enterprises.

Deputy Róisín Shortall: The Government is starving the authorities of funding.

An Ceann Comhairle: Deputy Collins without interruption. His time is very limited.

Deputy Niall Collins: These are the facts. The Opposition is in control at local level but is not delivering.

Deputy Róisín Shortall: The Government is starving local authorities.

Deputy Niall Collins: Mr. Denis Brosnan is carrying out a local government review. The Opposition has control of three local authorities and holds three different positions. Its membership on the ground is at sixes and sevens.

Reference has been made to the Lynxs Cargo Group in respect of the Government amendment to the motion. It is noteworthy that a cross-party delegation from the area met the Minister for Transport today. That is being worked on and will be delivered. The delay is not being caused by the State or the Government.

There was also reference to a one-stop-shop concept. I agree with it. In my constituency alone there are two Leader companies, an enterprise board, a development board, a business support unit in the local authority, FÁS, IDA, Enterprise Ireland and Shannon Development. That is nine entities. If one multiplies that number across the region, how many State agencies are there? I agree with the one-stop-shop approach but the Labour Party Members are not saying that locally. Its Dáil representatives want to keep all these quangos in place. We cannot say in the House that we favour a one-stop-shop approach——

Deputy Róisín Shortall: That is not true.

Deputy Niall Collins: It is true, and the Deputy can check the record.

An Ceann Comhairle: Deputy Collins must conclude.

Deputy Niall Collins: I note and welcome the confirmation that the Dell globalisation funding is available for business start-ups and job creation. It is a welcome announcement.

Deputy Michael McGrath: I commend Fine Gael on putting down this motion, which is particularly important. The issue of job retention and job creation must be the national and political priority at this time. When I completed my training as a chartered accountant in Cork, I went to work in a start-up business — it was a new radio station — as its financial controller. Many of the lessons I learned at that time about the practical issues involved in running a small business hold true for the Irish economy today.

Consider the two pillars of activity in the Irish economy. The export sector has performed remarkably well and has proven to be exceptionally resilient in extremely difficult international trading conditions. On the other hand, SMEs are trying to survive at a time of reduced demand

[Deputy Michael McGrath.]

for their goods and services. They have had to contend with a major credit crunch and their customers have experienced a serious drop in their disposable income.

There has also been a collapse in consumer confidence. These are the issues faced by businesses. From my perspective, the same key principles apply to export business and SMEs in terms of their interaction with Government and the wider public sector. Those issues are containing one's costs and making oneself as competitive as possible *vis-à-vis* one's international and domestic competition and minimising compliance and regulatory work, which many business see as a significant burden and, largely, as a waste of time. They want to operate in a low taxation environment for business and want the burdens imposed by the State and the wider public sector on business to be kept to an absolute minimum.

Business success is an enabler for an economy and society. Profitable commercial activity will generate revenue for the Exchequer. Risk takers should be rewarded. Very often they are pilloried in this country. I do not accept the view that one should crucify successful business people in this country with exorbitant rates of tax. They have to pay their fair share, but we must establish a strong commercial incentive for people to take risks in our economy. Every facet of Government policy must be business proofed. Departmental decisions, the impact of the work of State agencies, in terms of compliance and the charges imposed by the commercial semi-State sector, must all be business proofed. That is essential. There should be a national policy regarding local authority rates. There must be an aggressive drive to reduce costs in terms of energy, waste and so forth. The banking system must be addressed through NAMA and recapitalisation to get credit flowing through the banking system again.

The focus of the Government has to be and will be, for the next two years, on jobs, building confidence in the economy and supporting commercial activity in all its forms. Support for the business sector has to transcend all aspects of Government and the public sector generally. When there is a jobs crisis, a public finance crisis and an economic crisis, other issues will have to take secondary priority. I am confident Government decisions and action will lead to a reversal in our economic fortunes.

Deputy Mary Alexandra White: I am delighted to speak on this Private Members' motion. We on this side of the House have made difficult decisions in the budgets to try to stabilise the economy and the public finances. There have been difficult decisions made regarding the reform of the regulatory authorities for the banks. I am glad to welcome the appointment of Professor Patrick Honohan, which the Green Party was very keen to see happen. He will be a good man in the position. The next number of weeks and months will be a defining moment in how we look at our economy regarding how the banks perform.

Employment, as all parties in the House have said, is central to the revival of our economy. That is why it is important that we have a sufficient number of training places and support for people returning to education. Let us hear the figures clearly. Some 330,000 places have been provided for job training. We are often accused of not doing enough for job training, but that is the figure. Let us put it on the record. The Opposition's claim that there is no job strategy is a lame one because there is a strategy and it is working.

Another aspect of the economic revival is the green and digital economy——

Deputy Simon Coveney: The Deputy is accepting we will lose 70,000 jobs this year. That is some jobs strategy.

Deputy Mary Alexandra White: Some protection from the Chair might be helpful.

An Ceann Comhairle: Yes.

Deputy Mary Alexandra White: The work done by the Minister, Deputy Eamon Ryan, in this regard is to be commended. The future of our economy is green. Business and many members of the public know that and the Government is acting on it in the context of the digital, smart and green economy. The supports for renewable energy, energy efficiency, waste management, water services and particularly investment in water services infrastructure has never been greater than under the Minister, Deputy John Gormley.

Some 15,000 green jobs have been created over the past two and a half years.

Deputy Simon Coveney: They are not green jobs.

Deputy Mary Alexandra White: There will be more this year, with the €130 million retrofit scheme, which will provide local employment throughout the country. The digital economy, which is also being developed by the Minister, Deputy Ryan, sees a fusion of the smart economy technologies, low carbon innovation and development in the ICT market. The potential for jobs is significant. Some 30,000 will be created in this sector in the next five to ten years. Knowledge-based businesses are still moving to Ireland and providing new jobs here. We are providing supports to facilitate that. These are the facts.

We need to develop other indigenous sectors, as well as the green economy, such as tourism, the economic spin-off from our culture and new opportunities for Irish agriculture in terms of anaerobic digestion and biomass. We all want to make sure that, throughout the country, we are creating jobs in rural areas.

An Ceann Comhairle: I am very constrained on time.

Deputy Mary Alexandra White: Foreign direct investment is vital but we must try to become more focused on indigenous sectors. I am sorry I do not have more time to discuss the green economy but I am grateful to have a couple of minutes to speak on the Private Members' motion to disprove some of the erroneous statements coming from the Opposition.

Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív): Ba mhaith liom buíochas a ghabháil le Fine Gael as ucht an rún seo a chur síos. We are discussing an issue which is of major concern to anybody who meets people every day. The question of employment is central to our work. There are two elements. Regarding the creation of employment in the private sector, one has to create the circumstances which are conducive to employment. The State cannot create employment in the private sector, but it can create the circumstances. As someone who was involved in creating employment on the ground for years, I believe one needs access to money, ideas and support for those ideas.

I am constrained by time. I wish to focus on two schemes run by my Department. One is the rural social scheme which has 2,600 participants. Technically, it does not take people from the live register because they receive farm assist and are not classed as unemployed. The reality in rural Ireland is that small farmers who had jobs return to farm assist because it is more beneficial from a means test point of view. The rural social scheme is doing very good work. Even though the budget has tightened, I decided to keep the same number of people on the scheme while trying to devise ways of sustaining the scheme and, if possible, examining innovative ways of growing it.

On the community services programme, last year we increased the number of people on the scheme by 300 and we now have 2,700 people on it. We also approved some 80 different organisations for the scheme. Funding was cut this year as part of the general effort to try to bring some fiscal stability to the State. I decided to cut the non-material grant to all schemes because many of them have very high reserves. Other schemes have very good earning capacity.

[Deputy Éamon Ó Cuív.]

Many of them are involved in tourism projects and so on. There are some, particularly those in RAPID areas, whose earning capacity is very small. We told the schemes concerned that they could make a case for funding to keep them going and we would look at their situation on a case-by-case basis.

This was a much more rational approach to sustaining the levels of employment than leaving the non-wage grant in place in every scheme and cutting the numbers of people on the scheme. Between 40 and 50 different groups have made a case to the Department regarding funding and I understand the first case will be decided on this week. It is my intention to ensure that any group which needs funding gets it. In many cases groups have the ability to earn more money because community services programmes are meant to have a revenue stream from the private sector. Many of the schemes comprise tourism projects in rural areas which charge people to see attractive tourism features. Therefore, such scheme will be able to meet the objectives of the scheme.

Ba mhaith liom tagairt a dhéanamh don scéim forbartha tuaithe, rural develop programme. Cruthóidh sin fostaíocht do 2,500 duine sna ceantair thuaithe in Éirinn. Leis sin, tá deiseanna iontacha don phobal tuaithe. Bhí comhdháil an tseachtain seo caite faoi seo agus tá deiseanna thar na bearta ann ach caithfidh na comhlachtaí Leader deontais mhóra a cheadú mar ní féidir fostaíocht a chruthú le deontais de €3,000.

An Ceann Comhairle: Next are Deputy Deirdre Clune who has six minutes and Deputies Joe McHugh, John O'Mahony, John Perry, Pat Breen, Denis Naughten, Simon Coveney, Michael Ring and Brian Hayes, who have three minutes each. I ask Deputies to keep to their time.

Deputy Deirdre Clune: I shall stick to my time although I hope I will not take six minutes. I support the motion which is a very important one as evidenced by the number of contributions. There are 20 contributions from those members of Fine Gael who wished to speak on this motion last night and tonight.

If one took any note of the media in the recent weeks one finds they were interested only in those who resigned from their positions in Government, from this House or the Seanad. This motion concerns the very real issues facing people — unemployment and the financial crisis that confronts small and medium businesses. There are some practical innovative ideas in the motion that, if put in place, would alleviate the problems of many who now find themselves unemployed.

It is shocking that the Government admits, putting up its hands, there will be another 70,000 people unemployed. It is failing to do anything about it. As we all know, unemployment is the result of failed economic policies. Last week I read a report produced by the Construction Industry Federation, CIF, Cork region, on activity in the region. The figures in the report underline the fact that in this country we were so very dependent on property and we let so many people down in that regard. Young people in particular were attracted away from school and their studies, lured by high wages and so much work. Now they find themselves on the dole and without any support. That point was made also on the other side of the House. One third of those aged under 25 years are former construction workers. When one looks at applications for registration as apprentices in the south west region, in 2009 the figure was 162, down from 1079 in 2006. Nationally, in 2006, there were 7,114 registrations. Last year there were only 1,000 nationally. That is only one sign of the effect on the construction sector.

I totally support the apprenticeship guarantee scheme proposed by my party. It is very important and I am glad that the Minister of State, Deputy Mansergh, mentioned it formally

before I spoke. It is very important that those who have not yet finished their apprenticeship schemes are given the opportunity to do so. We proposed that FÁS be mandated to set up training centres in conjunction with the OPW to ensure that those apprentices would be in a position to finish their certification. It is very important to people who have gone down this road in whatever area, as carpenter, electrician, plumber or bricklayer, that they be given the opportunity to finish their certification.

Budget 2010 was very short-sighted in that there was no investment in infrastructure. There was no sign of it. In the Cork region it was depressing that there was nothing on the horizon. The payback is borne out by the fact that for every €100 million invested in infrastructure 1,000 jobs are created. Of that funding €50 million will be returned to the Exchequer in direct taxes and social welfare savings. For every ten jobs created in a construction project a further four induced jobs are sustained. By that I mean jobs in the wider economy, shops, cafes and all the services that go with and support that industry. It makes sense. A construction worker on an industry registered employment agreement's pay rates contributes €17,000 in taxes each year. A construction worker who loses a job costs the Exchequer €18,000 in social welfare payments. Those are facts that speak for themselves. I plead with the Minister of State, Deputy Mansergh, to process this and ensure that the apprenticeship guarantee scheme is fast-tracked because there are people who will find themselves in desperate circumstances without this facility to complete their certification.

I turn to a completely different topic, at the other end of the scale. I congratulate the Tyndall research institute in Cork which this week announced the development of a junctionless transistor that looks set to revolutionise the world of microchip manufacturing. Scientists have been investigating this and trying to develop such a transistor since 1925. Nobody was able to fabricate one but it happened in the Tyndall institute which is based on the UCC campus. The institute has benefited from investment under the research and development sector supported by the Government. The announcement this week has revolutionised transistor manufacture. Intel is looking seriously at this development and there are many leading semi-conductor companies around the world looking at this product. It is a serious and amazing breakthrough.

This underlines the need to invest in research and development and to encourage people to think and for our young people to get involved in science and technology. It shows the need to encourage research institutes to work with industry to develop products that can go out into the marketplace and be developed. This, in turn, results in relative and real employment for the future young people of this country. Fifty thousand of them will be doing their leaving certificates this year and they need to be given hope.

Deputy Joe McHugh: Michael O'Leary's proposal for 300 jobs has featured very largely on the political and media agenda for the past ten days. He has dominated RTE news programmes and our national newspapers and today his press conference on Merrion Street was attended by dozens of reporters. Last Sunday some of those newspapers strongly criticised politicians and politics for doing nothing to address Ireland's unemployment problem. Those newspapers challenged Opposition politicians to come up with proposals similar to Michael O'Leary's. As an Opposition politician in this democratically elected national Parliament, I accept that challenge.

Through the Minister of State, Deputy Ó Cuív, I guarantee the Tánaiste that the sea food company Marine Harvest will provide 30 new jobs at its base in Fanad, County Donegal, if the Department of Agriculture, Fisheries and Food moves to resolve very simple licensing issues this spring. These issues and obstacles have existed for 15 years. I guarantee the Tánaiste that the long-distance transport company Global Flexi Systems will provide 15 new jobs at Merville,

[Deputy Joe McHugh.]

County Donegal, if Enterprise Ireland moves to match Invest Northern Ireland's concrete offer to provide the company with initial equity support.

I guarantee that a Greencastle-based company, McCormick Transport Limited, will supply 150 jobs in dredging, oil rigging, supply boating and tug boating, if the Department of Enterprise, Trade, & Employment will provide two to eight weeks of upskilling courses to unemployed fishermen at Greencastle Fisheries College. With very short training in ship construction, ship stability, ship cargo work, lifeboat certificate and efficient deckhand certification, EDH, unemployed deckhands, skippers, mates, and engineers will qualify for these 150 jobs.

I guarantee that Beattie Fuels will provide 45 jobs in truck driving, unloading, and yard operation at Killybegs if the Department of Agriculture, Fisheries and Food will permit the company to use Killybegs Harbour as a point for importing bulk coal and fuel. I propose this along with my colleague, Deputy Dinny McGinley.

I present a potential 240 jobs to the Tánaiste, 60 fewer than Michael O'Leary proposed. All they require are single telephone calls to the Minister for Agriculture, Fisheries and Food, to FÁS, and to Enterprise Ireland. As a politician I work in a mass media environment. The media challenged me last week and I have responded by presenting this proposal to the Minister of State. It involves 60 fewer jobs than Michael O'Leary proposed but it requires only three telephone calls. Jobs can be created if we get rid of the red tape, regulation and bureaucracy, apply some common sense and get back to basics.

Deputy John O'Mahony: For 435,000 people, 86,000 of them under 25, the only thing they think of night, noon and morning is the possibility of getting a job or recovering from the trauma of having lost a job. They are not worried about who is going to be the next Minister for Justice, Equality and Law Reform, the next Minister of State with responsibility for food or the next Irish Commissioner — they want a job. People want to work. They do not want social welfare. Young teachers, architects, engineers and solicitors are desperate to work. They do not need to go back to education because they already have their qualifications. There is also another group who left school early during the Celtic tiger years and who now have neither a job nor an education.

What is needed in response to this is a plan to provide jobs that will give people and their families a sense of hope for the future. They want solutions. Fine Gael, with this motion, proposes some of those solutions. It is a plan. It may not be the be all and end all, but it is a plan. It provides hope for young people, upskilling for those who need it and expanded community employment schemes, to mention but a few areas.

I warmly welcome the initiative by Dr. Martin McAleese, called "Your Country, Your Call", to encourage people to come up with ideas to create employment and to provide incentives in the process. The only approach of the Government to date has been the line that the economy must be fixed first and the jobs will follow. We heard the exact words from the Minister of State, Deputy Mansergh, when he said earlier that the jobs will follow "a bit later". "A bit later" is no good for the 500,000 people who are unemployed.

The stimulus approach has been provided by many countries, it is working in many countries and we need it here. I urge the immediate reinstatement of the sports capital funding, which would have a positive effect in every town, village and parish in the country. In one fell swoop, it would create employment, get extra taxes into Government coffers, provide extra recreational facilities for young people and, in doing so, get rid of many of the ills of modern society. I commend the motion to the House.

Deputy Pat Breen: I welcome the opportunity to contribute to this debate. I congratulate Deputy Varadkar for bringing this very timely issue before the House this week. Our unemployment rates are now at 12.9%, among the highest in the OECD countries, and in the period from January to October 2009 a new economic report stated that Ireland had the second highest unemployment rate in the 15 to 24 age group in the 25 countries compared, which is very serious.

There is real concern, particularly in regard to the number of people who have signed on the live register in the first three months of last year. We have to break the cycle of unemployment. What is needed is creative and innovative thinking but, more importantly, it will require the determination of the Government to create the environment where people who have ideas and can create jobs are given the necessary support.

I received a telephone call last week from a young man in north Clare in my constituency whose family have been involved in the tourism business all their lives and have an established business. The young man wanted to acquire another property adjacent to his own property but the banks turned down his application for a loan despite having his account books and records. Despite the fact the banks are advertising along the lines of “Come in and talk to us. We will give you a loan”, they are not giving out loans. The reality is that the taxpayers’ money which has been injected into the banks through NAMA is not resulting in the flow of credit to businesses.

We will lose out on a generation of young people. Many of the graduates will face the dole queues or emigrate if we do not exploit the best ideas available. Like Deputy O’Mahony, I congratulate Mr. Martin McAleese on his initiative, “Your Country, Your Call”, which is geared to supporting ideas whereby we hope we can create jobs. The Government should follow the lead of Dr. McAleese and set up a national think tank where all job creation ideas could be fed to those with real potential and acted upon. We should be compiling a skills database of unemployed workers throughout the country and making this database available to FÁS, to new and existing companies which are looking for staff, and to organisations such as Shannon Development, Enterprise Ireland, the IDA and other job creation agencies.

Unemployment in my area, the mid-west region, is 1% higher than the national average. There was an 11% drop in the numbers employed in industries in the Shannon free zone last year. Shannon Airport is the key economic driver in the region for the creation of aviation jobs and will be pivotal to any recovery in the region. One of the proposals with the potential to create jobs is the Lynxs Cargo project, and I would reiterate the urgency of giving this project the go-ahead. However, more is required. Passenger numbers have dived at the airport and further turbulence is in the air, with the loss of 18 Ryanair destinations on the cards.

The Government and its agencies have a role to play. Fine Gael has a plan for job creation. The Government should get on with doing the job and make unemployment a priority.

Deputy Denis Naughten: FÁS is projecting that 335 jobs will be lost every working day this year. The Government is directionless and devoid of ideas. The only prospect for our young is to emigrate, and those who cannot emigrate will be left to waste away on the live register. This summer, our best and brightest will graduate. They will have a qualification in one hand and a Ryanair ticket in the other because no alternative is being offered to them by this Government. We need these young skilled people to help us out of the economic quagmire. They are our future. Without them, we will not have a smart economy, despite the State having invested €60,000 in the education of each scientist and engineer.

Fine Gael has developed a detailed plan to keep these skilled young people and thousands more who are currently unemployed in Ireland. Our stimulus plan will create 100,000 new jobs

[Deputy Denis Naughten.]

over four years by bringing high-speed broadband to 1 million homes throughout the country, by ensuring that when one turns on the tap, one has water one can drink, by cutting energy costs in every home in this country by €1,100 per annum, by producing half of our electricity from renewables within ten years and, at the same time, by giving elderly people a fair return on their savings which will be put to work on job creation instead of bailing out the banks.

We have to think smart and we have to use what is available to us. For example, take the State-owned broadband network. By bringing together its elements, we can create 18,000 jobs, 10,000 of which would be in the private sector and could be sustainable in the long term. In addition, we need dramatically improved competitiveness throughout the country. We must open our minds and innovate, not stagnate. I commend the motion to the House.

Deputy Simon Coveney: I thank Deputy Varadkar for bringing this motion before the House. Despite the distractions we have had in politics in recent weeks, the key issue for people in their homes today is jobs.

As my speaking time is short, I want to focus on two points. First, I wish to deal with assistance programmes and structures for small businesses that are struggling. I was involved in launching a small business support scheme in Cork last November which put together a panel of approximately 40 business volunteers who are acting as advisers and mentors to small businesses seeking help at present. In three months, more than 50 companies have received advice and assistance through this scheme.

This is the kind of work the Government should be doing. Across the country, there are thousands of SMEs which have never before had to deal with recession. They do not know how to change their business plans and deal with staffing issues, debt issues, communications with banks and so on. They need advice and they need it for free. Despite this, we are not changing the structures of delivery that the State has in place to help small businesses in such situations.

We are still sticking with the same structures we had in place during the Celtic tiger years and that is not good enough. The various Government speakers tonight spoke about budgets that are being spent in different areas and schemes which are being expanded. What we need is new thinking, new and efficient ways of delivering that give better value for money, and better results for the money put in but this is not happening.

The second issue is Fine Gael's big idea, which we have been trying to promote for more than a year and which is titled, NewERA. It is a stimulus package which focuses on building new infrastructure, something which is not being delivered, despite the comments of the Tánaiste last night and what I expect the Minister will say in a few minutes time
8 o'clock about broadband delivery and so on. We are not building the new infrastructure that is needed to be the arteries for development and progress and change over the next five, ten, 15 or 20 years. It is not happening quickly enough. Instead of spending more money on broken structures in the plan to deliver better water infrastructure, let us look at how we are delivering that infrastructure and those services and change the way we do it. We need to modernise through reform in the semi-State sector.

Deputy Michael Ring: I am delighted to speak on this motion and I compliment my colleague, Deputy Leo Varadkar on tabling it. I say to both the Minister and the Civil Service that we need a new way to deal with the problems of the country. Those working in the local authorities, in the county enterprise boards, in the Civil Service, are in safe, secure jobs. They never have to take a chance. People in business who are trying to create employment are over-regulated. We have been talking about this for the past ten years and nobody has done anything about it. We

are depending now on small businesses because we will not be getting many more multinational companies to come here. In my county we have Allergan and Baxter; we are delighted to have them and we hope we can hold on to them.

We are going to have to build from the bottom up and that means small businesses. They have been attacked for the past ten years. I know people who got out of business because they were sick and tired of being over-regulated, sick and tired of inspectors calling to their business, sick and tired of employing people to do paperwork for the State, creating employment for the people who never had to take a risk, yet these people were not rewarded, they were not helped and they did not get the support they needed. It is time for new thinking in the Civil Service, new thinking in councils, new thinking in the county enterprise boards. I was in Dunhill in Waterford yesterday where 100 people are employed. They could employ 300 more people if there was less regulation and if they got a small bit of support from the State instead of the State always trying to take away things from them.

People are over-regulated and I want to know what the Government plans to do about it. Fine Gael has proposals to deal with over-regulation because it has to stop. We have to stop these daft EU rules. Ireland goes ten steps further than France and every place else with regard to EU regulations to make sure our people cannot do business in this country. We need small businesses and we need people to take risks.

Deputy Brian Hayes: I wish to put two ideas to the House. In 2007 there were approximately 180,000 people unemployed and now the number is more than 430,000 yet the number of PLC courses and places has risen by only 8,000. In 2007, a total of 30,000 PLC courses were available in colleges of further education and now it is a total of 38,000 but with no increase for next year. If we are serious about retraining opportunities for people who are laid off and unemployed, one of the most cost-effective means of delivering progression courses is through further education. I ask the Government to lift the cap on PLC courses over the next number of months so that we can radically increase the number of people who can obtain FETAC levels six, seven and eight courses within these colleges.

I ask the Government to consider my second idea. The Fine Gael Party has proposed an internship programme dedicated to upskilling and providing opportunities for young graduates. There are 2,500 unemployed teachers in the country who are currently on the dole. They cannot get a look in when it comes to substitution teaching work in schools because many retired teachers are taking this substitution work and this is a scandal in this day and age with so many people unemployed. If a person with a bachelor of education degree spends two years out of education, he or she will be required to spend another three or four years in order to upskill. We have gaps all over our primary and secondary school system. There should be a system to ensure that these young, bright, talented graduates in education are put into the school system. The Fine Gael proposal as set out in the substantive motion would ensure that graduates are given opportunities to get into professional training. This can be done. No new opportunities have been provided for young people who graduated from St. Pat's or UCD or other colleges in the past year. They want to teach and are prepared to teach at very small rates of pay as a means of getting experience. These are the same people who should be given an opportunity to get temporary whole-time places and permanent places when the economy turns, as inevitably it will. These are ideas that could work and which would make a significant difference when it comes to giving new opportunities to people currently out of work.

Deputy John Perry: I congratulate the Fine Gael spokesman on enterprise, trade and employment, Deputy Leo Varadkar, in bringing forward this very important policy, an eight-point plan for job creation. There are many disastrous consequences of the mismanagement of the country by this Fianna Fáil-Green Government. The two greatest disasters for every parent and

[Deputy John Perry.]

grandparent in the country are the rising level of youth unemployment and the reappearance of forced emigration.

The consequences of Government incompetence are visible everywhere in Sligo-Leitrim. Before Christmas, GlaxoSmithKline announced the closure of its Stiefel plant in Sligo with the loss of 250 jobs. Further bad news followed when it was confirmed that the Abbott Ireland plant at Ballytivnan is to axe 41 full-time jobs. The closure of the Tiscali call centre with the loss of 160 jobs is a further devastating blow to Sligo-Leitrim. These closures will have a major impact on the local economy.

Youth unemployment is a problem of particular urgency. It leads to great emotional anxiety among both parents and students. Youth unemployment is a problem that diminishes us all. It not only damages individual families, it corrodes entire communities. The big risk is that it will cause permanent damage to individuals, families and the economy.

Today's school-leavers and graduates are experiencing the worst employment market for many years. Recent graduates have done everything society asked of them. They worked hard to get a good education. They are ready and anxious to work and now they cannot get a job. They do not want social welfare. What they want is the opportunity to work and earn their way in life.

As in the past, it now seems that this Fianna Fáil Government plans to rely on emigration as its main economic strategy. The lack of domestic job opportunity is forcing young Irish people to take the one-way ticket abroad to find a job. This is a national tragedy. There is no credit flowing. There is no confidence and no credit. NAMA is delayed by 18 months and there is no evidence of the Government's solution even starting to work.

Fine Gael's proposal for a national recovery bank would get credit into business. A thriving SME sector will be key to Ireland's recovery. What we now have is an economy with no confidence and no credit. This situation is directly due to this Government's incompetence. Without confidence and credit, the economy cannot recover.

Fine Gael is the only party to present concrete, effective measures to protect existing jobs and create new ones, as well as bringing down business costs and helping struggling companies to stay afloat. The economy is on the floor, the banks are doing nothing for the economy. It is an appalling situation. The Minister has said many times that the banks will give credit. I am in business and I speak to business people every day. It is not happening. Jobs are being lost as we speak. We have nearly half a million people unemployed and there is massive emigration. It is a tragedy to think that the SMEs, the backbone of this economy, are on the floor and this Government is standing idly by and doing nothing.

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): I am thrilled to be able to speak about the NewERA proposal. It would be the quango to end all quangos — the HSE on steroids.

Deputy Damien English: No, no.

Deputy Eamon Ryan: It would be a bizarre six-humped corporate camel. Fine Gael is proposing that 100 officials in the Department of the Taoiseach should be running our electricity, gas and broadband grids, as well as our water services, our forests and bogs and our building insulation industry. It is bizarre. I do not think it has been thought through.

Deputy Damien English: It has been very much thought through.

Deputy Eamon Ryan: I do not think it would work. I know it would not work. Some elements of Fine Gael's energy proposals make sense. We are providing for smart metering and electric vehicles. We are spending €1 million a week in support of the 3,500 contractors who are involved in the insulation programme. I want to pursue the Grid 25 strategy. The biggest obstacle in the way of Grid 25 is the attempt by Fine Gael and Sinn Féin working in tandem——

Deputy Damien English: No, Minister.

Deputy Eamon Ryan: ——to stop this infrastructure from being delivered.

Deputy Damien English: That is the second time the Minister has said that.

Deputy Eamon Ryan: That is the reality.

Deputy Damien English: It is wrong.

Deputy Eamon Ryan: That is happening.

Deputy Damien English: He got away with it three weeks ago.

Deputy Eamon Ryan: It is bizarre to see——

Deputy Damien English: It is a wrong thing to say.

Deputy Eamon Ryan: It is bizarre to see Sinn Féin——

Deputy Damien English: No. Will the Minister give me a second?

Deputy Eamon Ryan: One would expect Sinn Féin to be in favour of a project that involves North-South co-operation——

Deputy Damien English: That cannot go on. No way.

Deputy Eamon Ryan: ——rather than blocking it.

Deputy Damien English: The Minister was saying this again a month ago.

Deputy Eamon Ryan: It is bizarre to see Fine Gael and Sinn Féin——

Deputy Damien English: He cannot keep doing this.

Deputy Eamon Ryan: ——working together to block the critical infrastructure they say they want.

Deputy Damien English: That is crap.

Deputy Eamon Ryan: I agree that we need to be ambitious with regard to broadband. However, I question Fine Gael's proposal to spend €50 million of State money this year in a way that would threaten the private sector's expenditure of between €600 million and €700 million on alternative networks. Fine Gael wanted to give money to Babcock & Brown, but I am glad I made a different decision. If the Government had done so, that money would now be sitting in a bank account in Bondi or in Queensland, rather than being invested in Irish infrastructure, which is where it needs to go. We are delivering. We have doubled broadband numbers. Speeds are increasing through the competition we are bringing in between cable, fixed line and mobile companies. The Fine Gael proposal would stop that competition overnight.

[Deputy Eamon Ryan.]

We are making the necessary investment in water services. What is Fine Gael's position on getting money through water charges? It is unclear how it intends to fund its proposed investment in water services. Deputy Kenny recently failed to clarify what Fine Gael is suggesting it will do. This fundamental question of funding will arise if Fine Gael goes into government. Will Fine Gael be able to convince its possible coalition partners in an alternative Government — the Green Party, the Labour Party or Fianna Fáil — to agree to its proposal to sell off the commercial semi-State companies? If Deputies from the Labour Party get an opportunity to speak before the end of this debate, I would love to hear them answer that question. If it enters negotiations with Fine Gael, will the Labour Party insist that the ESB and Bord Gáis will not be sold? That proposal is as clear as day in Fine Gael's policy document — it is central to the whole funding arrangement. I do not believe it would be the right thing to do. In my experience, commercial semi-State companies work far better than some of the private equity companies on which other people rely. I look forward to hearing my Labour Party colleagues commenting on whether this project is a viable and flyable element of the NewERA package.

We need to bring confidence back to our country. We are doing it in our budgets. It is crucial for us to do it in the banking industry over the next month. I believe we can do it. We need to provide confidence and a stimulus on the economic and job creation fronts. We are doing that. We set out a clear plan in our smart economy document. We are now delivering on it. The Department of Community, Rural and Gaeltacht Affairs has invested in the Exemplar network, which will deliver the sort of high-speed broadband infrastructure we need to attract businesses to this country. We are seeing the results of that in the investment in cloud computing. Microsoft is spending €500 million on the latest and most energy-efficient data centre. We will and can do it through projects like the green IFSC proposal, which was made by the green enterprise strategy group. The digital content services centre has the potential to provide tens of thousands of jobs and thereby turn this country around. It is already starting to happen. The digital hub is full. The young companies in the new IT area, in particular, are part of it. It needs to go beyond that. We need confidence in our farming and construction industries. It can be delivered by putting people back to work and making our buildings more energy efficient. We are delivering real jobs on the basis of sound policy. The NewERA document is not sound. I look forward to having a lengthy debate on the plan with Deputy Varadkar or any of the other Fine Gael Deputies. It deserves real consideration. When one considers the plan, it comes across as a bizarre and impossible venture.

Deputy Damien English: No, it is not.

Deputy Eamon Ryan: It would risk everything in the State. Fine Gael wants to get rid of all our successful State companies in one fell swoop and replace them with an unbelievable construct — the quango to end all quangos — in the Department of the Taoiseach. Fine Gael suggests that this body would run the construction, electricity, gas, forestry and water sectors. The proposal simply will not work. The figures behind it are false and phoney. The more we debate it, the more confidence people have that the Government's proposals are working and will work.

Deputy Damien English: I wish to share time with Deputies Catherine Byrne and Varadkar.

An Ceann Comhairle: Is that agreed? Agreed.

Deputy Damien English: I wish to correct two aspects of the Minister's contribution. I am delighted that he is the first Minister to have properly debated the NewERA proposal with us. We like that.

Deputy Eamon Ryan: I am prepared to have hours of debate on it.

Deputy Damien English: We clearly believe it can work. It can do much more than the Minister thinks it can do. It involves new thinking and a new way of doing business. We are not afraid to make changes and to do things in new ways. That is what it is about. I hope the Minister will let us know when he is available to debate and go through the plan. It has been endorsed by many professional people outside politics because it is a good document. It has been thought through. It is planned and it can work. It is better than some of the plans I am seeing from the Minister's side of the House. Tonight is the second time the Minister has suggested that Fine Gael is against the Grid 25 strategy. I ran to the Chamber when he did it a few weeks ago but I missed him because he had gone out the door. I advise him not to do it again. It is wrong to do what he has done.

Deputy Eamon Ryan: Will the Deputy help me to get it delivered?

Deputy Damien English: It is a lie.

Deputy Eamon Ryan: Will he support the delivery of that grid? Will he act it out on the ground in reality?

Deputy Damien English: The Minister may remember that on the last day before the Christmas holidays, I stood here and had a proper and reasonable debate with him. I spent five minutes setting out Fine Gael's position in this regard before he came back with a bit of garbage. If he reads the transcript of the debate, he will see that I clearly outlined where Fine Gael stands on this issue. We want it to happen faster than the Minister does.

We believe the Minister's approach might or might not work. It might get delayed in the courts for ten or 15 years like the project in Boyle, which is still in the courts. We want the grid to be developed because we know how important it is. We are in touch with the people. We are aware that there might be a better way of doing it. It might be wrong. That remains to be proven. It has not been properly examined. I asked the Minister to consider it properly. I do not believe he has done that. During the debate I mentioned, the Minister gave me a commitment that the reports would be brought before the committee. Tonight, I read an e-mail to the effect that that will not happen, even though the Minister said they should be debated. Likewise, he said he will debate NewERA with us, but he probably will not.

Slowly but surely, the Minister is becoming as bad as his Fianna Fáil colleagues. That is a big disappointment. I singled him out as a guy who would make a difference in this Government, but I have not seen that yet. I hope I see it soon. He should not come in here and accuse me or my party of anything that is untrue. He has tried to claim we are blocking the Grid 25 plan. That is wrong. We want it and we want it fast. It affects my area more than anybody else's area. We want jobs. We have lost jobs because of a lack of electricity. I know all about it. The Minister should not do again what he has done twice so far. He got away with it. He should not come in here again with it. It is wrong, untrue and unfair.

I want to take a positive approach to tonight's debate. We hoped to come in here, discuss a few ideas and make some suggestions. That is the way I want to go about it. However, I would like to make one point about the Tánaiste before I continue. I will deal with her record at a later stage. When she spoke last night about the policies of the Government, she said "if we are remiss in anything, it is in terms of getting the message out to the public about what we are doing". She must not realise that people get that message every week when they receive their social welfare payments of approximately €200, rather than the €800 they used to get when they had a job. They have nowhere to go to work. That strong and clear message hurts

[Deputy Damien English.]

them badly. I am fed up of coming in here for a proper debate on jobs, only to hear the same old garbage about how the people are not getting the message that the Government is doing a great job. They are getting the message, but they would rather get a new message.

Fine Gael proposed some new initiatives and ideas last night and tonight. I note that civil servants from the Department of Enterprise, Trade and Employment are present. I have repeatedly asked at committee level for a specific plan for each sector to be devised. No new plan has been produced for the retail sector, for example. I have asked for a specific and targeted plan to be drawn up. We asked the Tánaiste a few weeks ago for predictions from IDA Ireland, Enterprise Ireland and all the other agencies about where they will go with jobs over the next couple of years. I was told by the Tánaiste and her sneering colleagues that they do not do predictions. They had no problem doing predictions during the good years. The agencies used to predict on a regular basis that 10,000 jobs would be created over three years and all that kind of stuff. I have to say the people need predictions. The Minister spoke about confidence. The people do not have confidence. They are fearful. They do not have any hope. I will not tell the House what the people I meet on a regular basis are suggesting they might do as a consequence of their lack of hope. That is why we want a real urgency brought to the issue with proper plans and targets laid out. Fine Gael's New Era policy could be one such plan. I accept the Government will want to change some of it but most of its proposals are good.

Last night, placements and internships were suggested as another employment creation measure. Many in the public sector tell us they would be happy to take a day or two off as they have paid off their mortgages and raised their families but they are not approached to accommodate internships. The public service is there to be reformed. It is time we had a real public service that does not get slagged off by the likes of Michael O'Leary or someone in the pub on a Friday night. We need to have a public service in which people have faith and confidence. Many of the unemployed could be engaged in the public service at a low cost.

Fine Gael suggested a loan guarantee scheme before Christmas. The Tánaiste and Minister for Enterprise, Trade and Employment said on one of her Sunday afternoon chats on radio, just like the Minister for Communications, Energy and Natural Resources does, that she is looking at it. Will they stop looking at it and just do it? We need action now as 2010 could be the worst year for job losses. The time for talking is over; it is action we want. If the Government cannot draw up its plans, it can use Fine Gael's.

Deputy Catherine Byrne: It is hard to be positive when debating unemployment but we need to be for the young people who need a job and want to continue living in this country. They do not want to be a statistic in the 85,000 youth unemployed or forced to emigrate. They want to stay in their country in which they have families and friends, using the skills they learned through their education.

Many young people in south west Dublin inner city do not have an education or an option to emigrate. They will be just left alone. For many of them, even the courses provided in the local community have failed to bring them some level of education. The Government believes FÁS is the solution. However, the agency is only a sticking plaster. A person on the dole for over three months is obliged to attend interviews at FÁS to discuss job opportunities. In theory this is good but in practice one size does not fit all. Some of the opportunities or retraining offered are impossible. Last year, FÁS interviewed 64,000 people but I still do not know how many of them got jobs.

Many gifted craftsmen, such as plumbers and carpenters, have been made casualties of the economic downturn. Many of them feel they have been thrown on the scrap heap because many of them will never have the opportunity to work again, particularly in their chosen trade. The other day I met one such 64 year-old worker who went for an interview at FÁS at which he was offered a job in a charity shop. I am not knocking charity shops but he was told his first

role would be to take clothes out of bags and then hang them on hangers. If he advanced after that stage, he would be allowed use the cash register. This was humiliating for this hard-working man who has never been on the dole before. This is another opportunity for the Government to tick FÁS's box.

Deputy Leo Varadkar: Over the past several weeks, politics has been dominated by personalities due to the resignations of George Lee and Déirdre de Búrca from the Oireachtas and Deputies Willie O'Dea and Trevor Sargent from ministerial office. Politics is not about personalities but about the State's 4.5 million citizens and, particularly, the 437,000 on the live register. This motion's focus is on the 85,910 people under the age of 25 on the live register. Not only are one third of all young men signing on but 40% of all young people under the age of 25 are dependent on social welfare through either jobseeker's allowance, jobseeker's benefit, one-parent family payment or invalidity benefit. This is a real indictment of the country. This is what must be discussed in Parliament.

Reading this morning's newspapers, I was disappointed there was not a single line on last night's one and a half hour debate on jobs. Then on the radio I had to listen to David Davin-Power, Aine Lawlor and Dr. Elaine Byrne criticising politicians for only being interested in political soap opera and personalities. Every Member knows that yesterday's ministerial resignation by Deputy Sargent took ten minutes of Dáil time yet we spent three hours debating the jobs crisis over the past two days, along with attending many committee meetings.

I object to and resent people who spend their time in lecture halls and libraries in Trinity College, Dublin and studios in Donnybrook telling us we are overpaid and out of touch with people. Could there be any people more out of touch with reality than the Irish media when they think it is appropriate to spend three weeks talking about which individual politician did or did not resign, why they did and who pushed them? What a load of rubbish. What we should be doing is talking about the issues which at least Members in the Chamber tonight did.

This motion has put forward eight ideas for job creation. It is positive in that it does not target the Government or is personal against the Tánaiste and Minister for Enterprise, Trade and Employment or the Minister for Communications, Energy and Natural Resources. It puts forward the Fine Gael idea that jobs should be at the centre of all economic policies, that there should be a national internship programme, which unfortunately, the Government will not accept. Neither will the Government accept the proposal for a second-chance education for 10,000 construction workers who left school early without academic qualifications. Nor will it accept the apprentice guarantee, modelled on the community youth training programme that FÁS had some years ago to take on apprentices who cannot finish their training to build community centres and public buildings. Nor will it accept the expansion of community employment schemes from 5,000. It used to be 44,000 and could easily be increased to 29,000.

The motion proposed a work share programme based on the German *Kurzarbeitergeld* scheme and the Dutch and Rhode Island short-time working subsidies. This would allow an employer with 100 employees who must lay off ten workers to put 20 on short time while the Government would subsidise the difference in salaries and get them training when not working. The German scheme has sustained 500,000 jobs so far but the Government will not support this proposal. Fine Gael proposed a jobs tax cut using the carbon tax not as a revenue grab but a chance to reduce employers' PRSI contributions. Again, the Government will not support this.

I look forward to a debate on our NewERA policy. The proposal for the holding company, which would not be a quango, is to find a mechanism to get capital back into Ireland.

Deputy Eamon Ryan: The holding of everything company.

Deputy Leo Varadkar: There is much money for investment from private pensions, sovereign wealth and hedge funds. The NewERA policy will get those moneys invested in the economy by using the semi-State bodies and utility companies. The Government, unfortunately, has no plan to attract capital into the State, other than through NAMA which is not working.

We have tried to move beyond personality politics with these eight constructive ideas. Unfortunately, the Government will not support the motion tonight. That is the real shame and disgrace of what we have seen in politics in the past several weeks.

Amendment put.

The Dáil divided: Tá, 78; Níl, 74.

Tá

Ahern, Dermot.
 Ahern, Michael.
 Ahern, Noel.
 Andrews, Barry.
 Andrews, Chris.
 Ardagh, Seán.
 Aylward, Bobby.
 Blaney, Niall.
 Brady, Áine.
 Brady, Cyprian.
 Brady, Johnny.
 Browne, John.
 Byrne, Thomas.
 Carey, Pat.
 Collins, Niall.
 Conlon, Margaret.
 Connick, Seán.
 Coughlan, Mary.
 Cowen, Brian.
 Cregan, John.
 Cuffe, Ciarán.
 Cullen, Martin.
 Dempsey, Noel.
 Devins, Jimmy.
 Dooley, Timmy.
 Fahey, Frank.
 Finneran, Michael.
 Fitzpatrick, Michael.
 Fleming, Seán.
 Flynn, Beverley.
 Gogarty, Paul.
 Gormley, John.
 Hanafin, Mary.
 Harney, Mary.
 Haughey, Seán.
 Healy-Rae, Jackie.
 Hoctor, Máire.
 Kelleher, Billy.
 Kelly, Peter.

Kenneally, Brendan.
 Kennedy, Michael.
 Killeen, Tony.
 Kitt, Michael P.
 Kitt, Tom.
 Lenihan, Brian.
 Lenihan, Conor.
 Lowry, Michael.
 McEllistrim, Thomas.
 McGrath, Mattie.
 McGrath, Michael.
 McGuinness, John.
 Mansergh, Martin.
 Moloney, John.
 Moynihan, Michael.
 Mulcahy, Michael.
 Nolan, M.J.
 Ó Cuív, Éamon.
 Ó Fearghaíl, Seán.
 O'Brien, Darragh.
 O'Connor, Charlie.
 O'Dea, Willie.
 O'Donoghue, John.
 O'Flynn, Noel.
 O'Hanlon, Rory.
 O'Keefe, Batt.
 O'Keefe, Edward.
 O'Rourke, Mary.
 O'Sullivan, Christy.
 Power, Peter.
 Power, Seán.
 Roche, Dick.
 Ryan, Eamon.
 Sargent, Trevor.
 Scanlon, Eamon.
 Smith, Brendan.
 Treacy, Noel.
 Wallace, Mary.
 White, Mary Alexandra.

Níl

Bannon, James.
 Barrett, Seán.
 Behan, Joe.
 Breen, Pat.
 Broughan, Thomas P.
 Bruton, Richard.
 Burke, Ulick.
 Burton, Joan.
 Byrne, Catherine.

Carey, Joe.
 Clune, Deirdre.
 Connaughton, Paul.
 Coonan, Noel J.
 Costello, Joe.
 Coveney, Simon.
 Creed, Michael.
 Creighton, Lucinda.
 D'Arcy, Michael.

Níl—continued

Deenihan, Jimmy.
 Doyle, Andrew.
 Durkan, Bernard J.
 English, Damien.
 Enright, Olwyn.
 Feighan, Frank.
 Ferris, Martin.
 Flanagan, Charles.
 Flanagan, Terence.
 Gilmore, Eamon.
 Hayes, Brian.
 Hayes, Tom.
 Higgins, Michael D.
 Hogan, Phil.
 Howlin, Brendan.
 Kehoe, Paul.
 Kenny, Enda.
 Lynch, Ciarán.
 Lynch, Kathleen.
 McCormack, Pádraic.
 McEntee, Shane.
 McGinley, Dinny.
 McGrath, Finian.
 McHugh, Joe.
 McManus, Liz.
 Mitchell, Olivia.
 Morgan, Arthur.
 Naughten, Denis.

Neville, Dan.
 Noonan, Michael.
 Ó Caoláin, Caoimhghín.
 Ó Snodaigh, Aengus.
 O'Donnell, Kieran.
 O'Dowd, Fergus.
 O'Keefe, Jim.
 O'Mahony, John.
 O'Shea, Brian.
 O'Sullivan, Jan.
 O'Sullivan, Maureen.
 Penrose, Willie.
 Perry, John.
 Quinn, Ruairí.
 Rabbitte, Pat.
 Reilly, James.
 Ring, Michael.
 Sheahan, Tom.
 Sheehan, P.J.
 Sherlock, Seán.
 Shortall, Róisín.
 Stagg, Emmet.
 Stanton, David.
 Timmins, Billy.
 Tuffy, Joanna.
 Upton, Mary.
 Varadkar, Leo.
 Wall, Jack.

Tellers: Tá, Deputies Pat Carey and John Cregan; Níl, Deputies Paul Kehoe and Emmet Stagg.

Amendment declared carried.

Question put: "That the motion, as amended, be agreed to."

The Dáil divided: Tá, 78; Níl, 74.

Tá

Ahern, Dermot.
 Ahern, Michael.
 Ahern, Noel.
 Andrews, Barry.
 Andrews, Chris.
 Ardagh, Seán.
 Aylward, Bobby.
 Blaney, Niall.
 Brady, Áine.
 Brady, Cyprian.
 Brady, Johnny.
 Browne, John.
 Byrne, Thomas.
 Carey, Pat.
 Collins, Niall.
 Conlon, Margaret.
 Connick, Seán.
 Coughlan, Mary.
 Cowen, Brian.
 Cregan, John.
 Cuffe, Ciarán.
 Cullen, Martin.
 Dempsey, Noel.
 Devins, Jimmy.
 Dooley, Timmy.

Fahey, Frank.
 Finneran, Michael.
 Fitzpatrick, Michael.
 Fleming, Seán.
 Flynn, Beverley.
 Gogarty, Paul.
 Gormley, John.
 Hanafin, Mary.
 Harney, Mary.
 Haughey, Seán.
 Healy-Rae, Jackie.
 Hoctor, Máire.
 Kelleher, Billy.
 Kelly, Peter.
 Kenneally, Brendan.
 Kennedy, Michael.
 Killeen, Tony.
 Kitt, Michael P.
 Kitt, Tom.
 Lenihan, Brian.
 Lenihan, Conor.
 Lowry, Michael.
 McEllistram, Thomas.
 McGrath, Mattie.
 McGrath, Michael.

Tá—continued

McGuinness, John.
 Mansergh, Martin.
 Moloney, John.
 Moynihan, Michael.
 Mulcahy, Michael.
 Nolan, M.J.
 Ó Cuív, Éamon.
 Ó Fearghail, Seán.
 O'Brien, Darragh.
 O'Connor, Charlie.
 O'Dea, Willie.
 O'Donoghue, John.
 O'Flynn, Noel.
 O'Hanlon, Rory.

O'Keeffe, Batt.
 O'Keeffe, Edward.
 O'Rourke, Mary.
 O'Sullivan, Christy.
 Power, Peter.
 Power, Seán.
 Roche, Dick.
 Ryan, Eamon.
 Sargent, Trevor.
 Scanlon, Eamon.
 Smith, Brendan.
 Treacy, Noel.
 Wallace, Mary.
 White, Mary Alexandra.

Níl

Bannon, James.
 Barrett, Seán.
 Behan, Joe.
 Breen, Pat.
 Broughan, Thomas P.
 Bruton, Richard.
 Burke, Ulick.
 Burton, Joan.
 Byrne, Catherine.
 Carey, Joe.
 Clune, Deirdre.
 Connaughton, Paul.
 Coonan, Noel J.
 Costello, Joe.
 Coveney, Simon.
 Creed, Michael.
 Creighton, Lucinda.
 D'Arcy, Michael.
 Deenihan, Jimmy.
 Doyle, Andrew.
 Durkan, Bernard J.
 English, Damien.
 Enright, Olwyn.
 Feighan, Frank.
 Ferris, Martin.
 Flanagan, Charles.
 Flanagan, Terence.
 Gilmore, Eamon.
 Hayes, Brian.
 Hayes, Tom.
 Higgins, Michael D.
 Hogan, Phil.
 Howlin, Brendan.
 Kehoe, Paul.
 Kenny, Enda.
 Lynch, Ciarán.
 Lynch, Kathleen.

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

Tellers: Tá, Deputies Pat Carey and John Cregan; Níl, Deputies Paul Kehoe and Emmet Stagg.

Question declared carried.

Message from Seanad.

An Ceann Comhairle: Seanad Éireann has passed the Arbitration Bill 2008, without amendment.

Adjournment Debate.

Mental Health Services.

Deputy Dan Neville: I welcome the opportunity to raise this issue, which I have raised previously over a number of years. I am prompted to do so having attended and addressed the European Association of Psychotherapy Conference in Vienna last week, which provided a great understanding of and much information in regard to what is happening in Europe.

I again express my concern that there are no statutory regulations in Ireland for the registration of psychotherapists and counsellors. There is no State control over who and what qualifications are held by those practising in these areas. It is dangerous for untrained, unskilled people to probe others' unconsciousness. They are dealing with human vulnerability and serious damage can be done to such delicate people.

The Government introduced the Health and Social Care Professionals Act 2005 to provide for the registration of persons qualifying to use the title of a designated profession and for the determination of complaints relating to their fitness to practice. Some 12 professions are listed as designated professions under the Act. When I challenged the then Minister, former Deputy O'Malley, on this issue during the debate on that Bill in the Dáil, he stated that regulated professionals had become so regulated by a process of discussion and consensus. However, the psychotherapists and counsellors group failed at that time to agree an approach to the regulations. The Minister stated that statutory regulation in such circumstances would have serious legal implications. He accepted the principle that all psychotherapists and counsellors should be properly qualified and pointed out that in consultation with the professional groups involved he was unable to obtain agreement on the criteria. The Minister stated that he asked the groups to revert to him with agreed proposals and that he could, rather than return the matter to the Dáil, designate them under ministerial order.

In response to the Minister's request, 22 organisations established a psychological therapies forum for counselling and psychotherapy. The forum accepted that it was imperative that the public is protected by the promotion of high standards of conduct, education, training and competence among the professionals of counselling and psychotherapy. It pointed out that all bodies involved with the forum provided a code of ethics by which their members must abide. It further stated that while this form of self-regulation provides protection to clients of these organisations, it falls short of optimal protection, as under our common law system it is possible for any person to take the title of counsellor or psychotherapist and practise accordingly without any training or competence. In other words, any person can put up a sign stating they are a counsellor or psychotherapist and charge €80 per hour for performing an act as a psychotherapist or counsellor, which is extremely dangerous to vulnerable people.

The current anomaly does not lend itself to good clinical governance and the maintenance of high standards of patient care. The Health and Social Care Professionals Act 2005 provides a mechanism to drive forward the clinical governance agenda. It creates a framework through which practitioners are accountable for continually improving the quality of their service and safeguarding high standards of care by creating an environment where excellence will flourish and optimal protection is afforded to the public who access counselling and psychotherapy.

The psychological therapists forum provided a proposal for statutory regulation of counsellors and psychotherapists. We have been informed that the 12 organisations already designated must have full recognition of designation before counsellors and psychotherapists are included

[Deputy Dan Neville.]

in the Bill. This is critical to vulnerable people in crisis who will be damaged by counsellors and psychotherapists who are not properly trained or qualified, people who are mavericks involved in this area. We believe the issue of their designation should be given priority under the Bill.

Minister of State at the Department of Health and Children (Deputy Barry Andrews): I am replying to this Adjournment matter on behalf of my colleague, the Minister for Health and Children, Deputy Mary Harney. I thank the Deputy for raising this issue and for giving me the opportunity to update the House on the ongoing regulatory programme undertaken by the Department of Health and Children, including the regulation of health and social care professionals.

The Health and Social Care Professionals Act was passed by the Oireachtas in 2005. The Act provides for the establishment of a system of statutory registration for 12 health and social care professions. The 12 professions to be regulated under the Act are clinical biochemists, dieticians, medical scientists, occupational therapists, orthoptists, physiotherapists, podiatrists, psychologists, radiographers, social care workers, social workers, and speech and language therapists. This new system of statutory registration will apply to the 12 professions regardless of whether they work in the public or private sector or are self-employed and it is the first time that fitness to practise procedures for those professions will be put in place on a statutory basis.

The structure of the system of statutory registration will comprise a registration board for each of the professions to be registered, a health and social care professionals council with overall responsibility for the regulatory system and a committee structure to deal with disciplinary matters. As a first step in the implementation of the system of statutory registration, the Minister for Health and Children launched the Health and Social Care Professionals Council in March 2007. The chief executive officer of the council was appointed in 2008 and additional senior administrative staff took up duty with the council in late 2009. The council must establish a registration board for each of the 12 professions currently covered by the Act. These appointments, and further progress in the establishment of a suitable organisational structure, will greatly assist the council in its ongoing work in preparing for the establishment of the individual registration boards, the first of which, the social work registration board, is to be established shortly.

The council is currently working to put in place the necessary structures for registration, education and fitness to practise for the 12 health and social care professions designated in the Act and it is hoped to bring additional registration boards on stream in late 2010. The council will enable health and social care professionals to practice in a regulated, controlled and safe environment and in a manner which will ensure the provision of high quality interventions, meeting the challenges of increasingly complex and evolving care for service users. Health and social care professionals will be facilitated in ensuring responsible and accountable practices while providing the highest level of patient care and service.

While the proposed system of statutory registration applies in the first instance to 12 health and social care professions mentioned, the legislation empowers the Minister for Health and Children to include, on the basis of specific criteria, additional health and social care professions in the regulatory system over time, as appropriate. The priority for the Health and Social Care Professionals Council is to establish in the first instance statutory registration for the 12 designated health and social care professions. The issue of inclusion of other grades, such as psychotherapists and counsellors, within the scope of statutory registration, will be considered after the initial designated 12 professional grades have been fully addressed.

Building Regulations.

Deputy Terence Flanagan: I thank Deputy McEntee for allowing me to share time with him on this important issue. In October 2007 I called on the Minister for the Environment, Heritage and Local Government to immediately set up a task force to tackle this urgent situation.

9 o'clock However, the Minister took no action. He stated he would have his Department audit all quarries in the country to ascertain whether pyrite is present in the stone being used in the infill for housing. However, no report was issued on the matter. It is believed that between 2003 and February 2007 more than 2 million tonnes of stone were taken from the Irish Asphalt Limited quarry located in Bay Lane, County Dublin. To date only 100,000 tonnes or 5% of the material extracted has been traced back to the buildings and other infrastructure on which the material was used. What happened to the other 95% of that material? What happened in all the other quarries given that pyrite has turned up in various houses and various infrastructure projects including the Dublin Port tunnel and apparently also in the M3 in County Meath?

Pyrite has been detected in many developments in my constituency, Dublin North-East, in Deputy Reilly's constituency, Dublin North, and in Deputy McEntee's constituency, Meath East. As up to 20,000 homes have been affected, this is a national issue. The Government needs to wake up and deal with it head on. The Minister claimed he had no responsibility in this area yet he got the National Standards Authority of Ireland to publish additional guidance protocols for testing under-floor infill material. He is awaiting further technical guidance documentation from the European Commission. He strengthened the enforcement powers given to building control authorities after 1 March 2008. However, that is of no benefit to those householders who now find themselves in extreme difficulty where the walls and floors in their homes are cracked. Many of them are in a difficult enough position being in negative equity, but to find that the physical buildings around them are unsafe is beneath contempt.

We want the Minister to immediately close down the quarries that are dishing out this defective infill material and to set up a task force and a fund to help these house owners who find themselves in extreme difficulty through no fault of their own.

Deputy Shane McEntee: Tonight is the start of the disclosure of one of the greatest catastrophes to hit this country following the bank crisis. I do not say that lightly. HomeBond, which is in trouble, has confirmed that it has received claims from the owners of 20,000 houses with pyrite. At one stage pyrite reached Canada and is also a problem in England. Some 20,000 people have lodged claims with HomeBond which is not in a position to pay to get these houses fixed properly. The builders involved — most of them very good builders — have disclosed that their insurance companies do not cover pyrite.

I know Members of this House do not really know what pyrite is. Pyrite is a substance used in filling, which when it reaches a different atmosphere swells like gypsum. It brings all with it, including floors and walls. There is only one solution, which is for these floors to be taken up and the fill removed and replaced. I got involved with one family 12 months ago and have seen it from start to finish. Other builders have tried to do the same. HomeBond has 20,000 confirmed claims. It is far more epidemic here than in any other country.

We have no choice but to set up a committee organised by the Minister. People are coming home every night to witness further deterioration in their houses. There is no money to fix it. They do not have the money themselves to even do the proper tests to determine the level of pyrite. I have a list of projects, which I will not read out, paid for by the State that will reach the same conclusion. I ask the Minister for Transport to call in representatives of the NRA to

[Deputy Shane McEntee.]

discuss the issue of the M3. I asked the question nine months ago and got a bad answer. I am proud of the M3 and want to see it opened. The M5 in England had to be closed because of this problem. Up to last week material was still being excavated from quarries that have far in excess of the 1% pyrite allowed. Some quarries in Counties Dublin and Meath have levels of 6% and 7%. This is an environmental and financial disaster. I ask for somebody to take note of this immediately because it is not going to go away. Tonight is just the start of what we will witness in the next five or six years where people are losing their homes and nobody is there to protect them.

Deputy Barry Andrews: The Minister for the Environment, Heritage and Local Government would like to thank Deputies McEntee and Terence Flanagan for raising this important matter regarding the standard to which new homes are built.

The issue of pyrite was brought to the attention of the Department of the Environment, Heritage and Local Government in mid-2007. Having consulted the statutory Building Regulations Advisory Body, the Department issued a circular letter to each county manager and local building control authority in August 2007 to bring this matter of pyrite to their notice and request co-operation in the enforcement of relevant requirements set out in the circular.

Following an intervention from the Department, the National Standards Authority of Ireland published a new amended standard recommendation on the use of aggregates as infill for civil engineering and road construction work. The new standard recommendation came into effect on 7 December 2007 and it is intended to address the quality standards of new homes and buildings in so far as problems relating to pyrite are concerned.

Deputies will be aware that the national building regulations, responsibility for which rests with the Minister, Deputy Gormley, set out the legal requirements for the construction of new buildings, including houses. The related technical guidance documents provide guidance on how to comply with those regulations. The Department incorporated the NSAI standard recommendation into the relevant technical guidance document, TGD-C, of the building regulations. A copy of the relevant amendment to TGD-C, which deals with site preparation and resistance to moisture, is available on the Department's website. Local authorities, the Construction Industry Federation, the Irish Home Builders' Association and other key stakeholders have also been notified of the provisions of the amended TGD-C. In addition, the Minister is aware that HomeBond, a private company which provides a ten-year structural guarantee for new houses, has included the amended NSAI standard recommendation in its published sixth edition of the house building manual.

Responsibility for compliance with the building regulations is a matter for the owner or builder of a building. Thereafter, enforcement of the building regulations is the responsibility of individual building control authorities.

The Minister is satisfied that the measures outlined represent an appropriate response by his Department and he has no proposals to establish a task force on the matter. He acknowledges fully the real difficulties experienced by homeowners whose homes have been affected by the use of pyrite in certain developments in and around Dublin. The purchase of a home is a major investment, both financially and emotionally, and he is keenly aware of the hopes and expectations which accompany that transaction. Nonetheless, he remains of the view that the resolution of problems arising between building owners and builders is a matter for the parties concerned, namely, the building owner, the relevant developer, and the builder's insurers. Where the construction of a building is the subject of a contract between the client — the

housing authority in the case of publicly funded housing -and the builder, enforcement is a civil matter.

Alternative Energy Projects.

Deputy Mary O'Rourke: Is the Minister of State, Deputy Killeen, dealing with this matter? He is. It is not that I would not deal with the Minister of State, Deputy Barry Andrews, but I doubt very much that there would be much growing of miscanthus in Dún Laoghaire. I am glad to see what I might term a rural Minister of State present.

I recently met a group of approximately nine or ten farmers who approached me about a particular problem. They had set up what one might call a co-operative. There are five of them in Ireland based on groups of farmers who a few years ago undertook to grow what was then termed the revolutionary crop, miscanthus, commonly known as the elephant plant, which is used to produce biomass. They had obtained assurances that the ESB power plant in Lanesboro would take what their crop. They set about growing it and I understand received some grants from the Department of Agriculture, Fisheries and Food. Some were successful and grew satisfactorily in line with what had been expected. However, some have not been successful whether through erroneous advice being given with regard to sprays, the soil or the climate at the time of planting. The mystery has not been solved, but they had received start-up grants for the planting and growth of miscanthus. Perhaps it is the size of the bulb that is the problem, since they have to import them from the UK, as they are not available locally.

In any event, those concerned want their efforts to be regarded, I believe quite properly, as experimental. They regard themselves as a group of pioneers doing experimental work, which if eventually proven to be successful all-round, will be a major boost for the energy market in Ireland. We googled some material today which indicated that miscanthus and real energy was what was described as "just hot air", and it is a matter of whether it can be successfully conducted in its growth patterns and in its outcome.

I had a few words earlier today with the Minister for Agriculture, Fisheries and Food while we were voting, and asked him whether the Department would view the grants given as part of the experimental process whereby when a whole new regime of planting is introduced, such as the revolutionary crop of miscanthus, the growers should be regarded as pioneers in that sphere, with the grant being treated as part of the learning curve for present or future growers throughout the country, if it catches on sufficiently.

The Minister asked me whether they wanted to give up or stay with the project. Each of those I met wants to stay with the growing of miscanthus. They believe the way forward is in the growing of the crop. Once it is established and growing properly, there is no tending involved, and it will recreate for up to 20 years with little caring or disturbance. Well done to those whose crops have grown, but those who were not successful should be exempted from repaying the grants vouched to them by the Department. Perhaps they can now press on with their efforts based on the lessons they have learned along the way in growing this experimental crop. I hope the Minister of State will have something to say to me and I thank the Acting Chairman for allowing me to raise the matter on the Adjournment.

Minister of State at the Department of Agriculture, Fisheries and Food (Deputy Tony Killeen): Gabhaim buíochas leis an Teachta as ucht deis a thabhairt dom freagra a thabhairt ar an ábhar tábhachtach seo.

Miscanthus is a perennial species of grass, otherwise known as elephant grass, that can be used to produce green energy in the heat or electricity markets. The cultivation of miscanthus

[Deputy Tony Killeen.]

and willow is a relatively new activity on Irish farms. Potentially these crops can deliver positive outcomes in terms of reduced carbon dioxide emissions, better energy security and extra sources of income and employment for rural communities. They also provide opportunities for residue and waste utilisation as the resultant crops are for fuel rather than food.

In line with our commitments in the national bioenergy action plan, the Department introduced the bioenergy scheme on a pilot basis in 2007 to provide farmers with establishment grants to plant willow and miscanthus — both biomass crops — for use in the bioenergy market. Establishment grants are once off payments to cover up to 50% of the initial set-up costs including ground preparation, the purchase of planting stock and planting. The maximum grant payable was €1,450 per hectare. Grants were paid in two instalments — 75% following establishment of the crop and 25% in the year after establishment. The bioenergy scheme 2007-09 supported 364 farmers in the planting of 2,100 hectares of miscanthus and 360 hectares of willow to the end of 2009 at a cost of €2.9 million.

Applications for grant aid under the 2007-09 scheme were processed and checked for ownership or leasehold title, end-use contracts, verification of area, environmental and archaeological checks, ground suitability, etc. On-farm inspections were carried out on a percentage of applicants. Approvals were granted subject to the terms and conditions of the scheme.

Eligibility for payment of first and second instalment grants depended on adherence to the scheme terms and conditions and also on the degree of satisfaction with crop establishment. Crop inspections were carried out on all applicants' lands eligible for payment of first instalment grants. The inspections were carried out to verify adherence to scheme conditions and the area planted and to ensure a satisfactory level of crop establishment. Where weaknesses in crop establishment were identified, payments were deferred and growers were advised in writing as to the necessary remedial work required for satisfactory establishment and that such work would be necessary to qualify for the establishment grant.

Following the first grant instalment inspection process, all applicants were advised in writing of the ongoing need to maintain and manage the miscanthus crop in accordance with best practice guidelines and to carry out any necessary management measures required to ensure full crop establishment. Years 1 and 2 are a critical phase in the establishment of miscanthus and the proper management of the crop during this period is essential to allow crops establish fully and to reach their full potential. Management measures in year 2 included the following: first year cut-back and continued measures for the control of grass and broad-leaved weeds; patch-planting and infilling where the crop is unlikely to increase in sufficient density to cover in any what are termed "sparse or gappy" areas; monitoring and taking the necessary control measures to prevent damage from rabbit grazing; and stockproofing.

First and second instalment grants were delayed if the criteria for crop establishment were not satisfied. The proper establishment of miscanthus is effectively a two-year process. There have been some difficulties at a number of sites due to a variety of factors including the inexperience of growers in establishing such a new crop, planting techniques, weed control and the quality of the rhizomes. A problem arose in the spring of 2009 in relation to some Miscanthus crops planted in 2008. Almost 50 growers were affected to some degree and some 200 hectares will require remedial work. The level of damage varied from moderate to severe in some cases where crops completely failed. The problem was due to the non-emergence of plants after the winter, ranging from as low as 5% non-emergence to almost complete non-emergence. Affected plants showed signs of growth below and just above ground in many cases but then just died

off. A number of different factors may be at play, including a question as to the incorrect timing or inappropriate application of a herbicide for the control of weeds in the spring.

The Department met with growers' representatives and has agreed to defer inspections and payments for the affected crops until autumn 2010 following a commitment by the growers that these crops would be re-established in the spring of 2010. Progress on this issue is being monitored. It is not the case that the Department is demanding the return of grant-aid from the affected farmers. The matter is still under investigation.

It was evident from the response to the pilot scheme that there is considerable interest in growing miscanthus and to a lesser extent willow in Ireland. We have recently launched the new bioenergy scheme and the closing date for this scheme is 31 March 2010.

Deputy Mary O'Rourke: That is clearly a very positive of answer and I am glad of that. I thank the Minister of State.

Special Educational Needs.

Deputy John O'Mahony: I thank the Ceann Comhairle for choosing this matter on the Adjournment. I want to appeal in the strongest possible way against the proposed reduction of four special needs assistants in St. Anthony's school, Castlebar.

The school has 40 students, ranging in age from four to 18, all of whom have mild general learning difficulties. However, many have other conditions such as Down's syndrome, ADD, ADHT, autism, cerebral palsy and speech disorders, to name but a few. I have visited the school and spoken to many of the parents who are full of glowing praise as regards the wonderful progress their children are making due to the diligence and commitment of all the staff, including the special needs assistants.

The key issue in this whole matter is that the criteria being used for the review of special needs assistant numbers is the same as that in use for mainstream schools. This is unfair, unjust and discriminates against the most vulnerable in our society who cannot speak for themselves. At present the school is just at coping level with six classes, including one for multi-disabled students. Each class has two special needs assistants and there is a nurse who cares for the medical needs of the pupils. The whole school evaluation carried out last January outlined the vital necessity of the 13 special needs assistants time and again. The proposed cut of four SNAs, special needs assistants, or 30% of staff is due to be implemented by Easter, only a short number of weeks away. This decision must be reversed.

I am pleased to share my time with Deputy Flynn tonight. This issue is above politics. As we speak, a public meeting is taking place in Castlebar which is waiting for the answer from the Minister of State. I urge Deputy Flynn to use whatever pressure is at her disposal to correct this matter. The campaign starting tonight in Castlebar is only the beginning. A positive answer here could result in the end of the campaign and the securing of employment for the four staff due to be cut. Otherwise, this will come back to haunt the Government.

Deputy Beverley Flynn: I am very pleased to speak on this issue tonight. As my colleague outlined, St. Anthony's national school in my home town of Castlebar caters for children with mild general learning difficulties. The children also have physical, emotional and behavioural difficulties. There are 40 pupils, six full-time teachers, three part-time teachers and 13 SNAs. It is a county-wide school, not only for pupils in my home town. It deals with pupils from Achill to Ballyhaunis in a county some 120 miles in diameter.

[Deputy Beverley Flynn.]

A report reviewing the position of the SNAs in the school was carried out and will be presented tomorrow, along with an official decision from the National Council for Special Education. The recommendation will be that four SNAs will be cut from the school. It will retain the current number of teachers, but a cut of four SNAs, to be effective by Easter, is simply unacceptable.

A review of this school also took place in March 2007 using similar criteria. At the time, only two short years ago, the current level of SNAs was approved. There were 39 pupils in the school at the time, whereas there are 40 there today. Of those 40 pupils, it is worth bearing in mind that ten are autistic, three are visually impaired, two have cerebral palsy, one is deaf, two have hearing impairments, three have epilepsy, two are grossly obese, one is in a wheelchair, one has high anxiety and nine have dyslexia. They also have behavioural difficulties, multi-sensory problems, personal care needs, one child has attention deficit hyperactive disorder, ADHD, another child has brittle bone syndrome and there are children from five nationalities in the school.

I am very uncomfortable with the independent review process carried out by the National Council for Special Education in this case and I am very uncomfortable with independent studies carried out at arm's length from the Department. When such decisions are taken, the flak comes on politicians although we have had no input. I do not like this and such reviews should be carried out by the Department of Education and Science where, at least, as politicians, we can answer for the decisions taken. It is completely unacceptable that any change would occur during the middle of the year. To take away four SNAs during the middle of a year is simply not acceptable. It is also very disappointing that when this decision becomes official tomorrow, the only avenue open to the school is an appeal process. This school should not have to go through an appeal process because it should be treated differently.

SNAs in a special needs school fulfil a different role from those in mainstream schools. They are not simply SNAs, but also classroom assistants. The SNAs in this school have first aid skills and sign language, some have braille skills, they have completed crisis prevention courses and two of the SNAs drive the school bus. Many of the SNAs provide a bus escort service in the school from 7.15 a.m. to 5 p.m. Such is the dedication of the staff.

A whole school evaluation was carried out some time ago for this school. It received a fantastic result and the Department can check this fact. The school had been informed that one blind child is entitled to 0.25 of an SNA. That is an absolutely crazy decision and it is completely unacceptable that such a determination could result from any review. Ten autistic children have been allocated to four SNAs and one special class has been allocated one SNA. I appeal to the Minister of State to bring the message to the Minister for Education and Science to treat special needs schools differently from mainstream schools and to reverse this decision because it is simply not acceptable.

Minister of State at the Department of Agriculture, Fisheries and Food (Deputy Tony Killeen): Gabhaim buíochas leis na Teachtaí as ucht an ábhar tábhachtach seo a chur os comhair na Dála. Tá mé ag freagairt thar ceann an Aire Oideachais agus Eolaíochta. I wish to make very clear that the education of children with special educational needs has been and remains a key priority for the Government. It has put vast resources into schools to enable them to meet the needs of children with special educational needs. In excess of €1 billion was spent within the education system for this purpose last year. Students with disabilities will continue to receive support as they have for the past ten years.

I emphasise what is really important. Schools which have enrolled children who qualify for support for a special needs assistant, SNA, will continue to be allocated SNA support. This scheme is under way at present. The National Council for Special Education continues to process applications from schools for SNA support. The SNA scheme has been a major factor in both ensuring the successful integration of children with special educational needs into mainstream education and providing support to pupils enrolled in special schools and special classes. The SNA scheme will continue to be supported. The terms and criteria for the SNA scheme have not changed. Where the criteria are met, SNA posts are being allocated.

Deputy John O'Mahony: The criteria are the problem.

Deputy Tony Killeen: I assure the Deputies there is no question of posts being removed from schools where they meet the scheme's criteria.

Deputy John O'Mahony: That is not the case.

Deputy Tony Killeen: However, there is also no question of posts being left in schools indefinitely where they are deemed to be surplus to the care needs of the pupils or where the pupils themselves have left. In the SNA allocation process the allocation for any school and any adjustments to that allocation depend on a number of factors such as the number of pupils with care and medical needs who leave, the number of new pupils and the changing care needs of existing pupils in the school. SNA allocations are, therefore, not permanent. They are increased or decreased as pupils who qualify for SNA support enrol or leave a school. They are also decreased where a child's care needs may have diminished over time. The Deputies will be aware that the NCSE, National Council for Special Education, through its network of local special educational needs organisers, SENOs, is responsible for allocating resource teachers and SNAs to schools to support children with special educational needs. The NCSE operates within the criteria of the Department of Education and Science in allocating such support. The NCSE is independent in the making and issuing of its decisions relating to the allocation of such supports.

The Department of Education and Science requested the NCSE to review all SNA posts because the Department had become aware that a number of SNA posts were in schools where the care needs of the pupils in the schools concerned did not justify such an allocation. Accordingly, the Department requested that the NCSE carry out a nationwide review of all schools to ensure that SNA posts were allocated to schools in line with the care needs of the pupils and that any excess posts would be withdrawn.

The NCSE, through its network of SENOs, is carrying out a review of SNA allocations in all schools with a view to ensuring that the criteria governing the allocation of such posts are properly met. SENOs are communicating the outcome of the review directly to schools as the review progresses. It is expected that the NCSE will have completed the review by the end of March this year.

The Deputies are fully aware that the Department of Education and Science has prioritised the provision of special education supports to schools, a key Government policy. However, this does not mean that resources allocated in response to various historical factors are retained in schools *ad infinitum*. At a time of constrained resources it is essential to ensure that public resources are deployed as effectively as possible. Resources left in an area that are not in accordance with criteria mean public resources are not available for another deserving area.

[Deputy Tony Killeen.]

Deputies will share the Minister's concern to ensure a consistent application of policy in respect of the allocation of special needs supports throughout the country, which amounts to what is taking place at the moment. The Minister for Education and Science assures the Deputies that supports will continue to be made available to schools which have enrolled pupils who qualify for such support. I thank the Deputies again for raising this matter.

The Dáil adjourned at 9.30 p.m. until 10.30 a.m. on Thursday, 25 February 2010.

Written Answers.

The following are questions tabled by Members for written response and the ministerial replies as received on the day from the Departments [unrevised].

Questions Nos. 1 to 10, inclusive, answered orally.

Questions Nos. 11 to 59, inclusive, resubmitted.

Questions Nos. 60 to 71, inclusive, answered orally.

Question No. 72 answered with Question No. 67.

Defence Forces Medical Service.

73. **Deputy Terence Flanagan** asked the Minister for Defence if the centralised medical command structure recommended for the medical services by consultants (details supplied) has been established; if not, when same will be established; if, as recommended, this medical command, or central medical unit, will be led by a line (non-clinical) officer; the rank of the officer who will lead this unit during the change process; and if he will make a statement on the matter. [9318/10]

84. **Deputy Eamon Gilmore** asked the Minister for Defence the progress made since 1 January 2010 regarding the implementation of the recommendations of the PA report on the medical services required by the Defence Forces; and if he will make a statement on the matter. [9175/10]

Minister of State at the Department of Defence (Deputy Pat Carey): I propose to take Questions Nos. 73 and 84 together.

As has been stated previously in the House, the PA Report reviewed the medical services required for the Defence Forces in light of their roles and operations, assessed the current arrangements for the provision of medical services and proposed a model for future delivery of medical services.

The Consultants recommended a programme of major change. The high level recommendations include:

- a Centralised Command Structure for the Medical Corps;

[Deputy Pat Carey.]

- the creation of a Medical Services Management and Administrative Function. This structure will provide strategic planning, resource allocation and overall responsibility for the management and delivery of the medical service;
- the development of Medical Officer Lead Care Teams together with a re-focussing of medical staff on appropriate clinical tasks.

The structure and systems recommended have been designed to meet the demands and needs of the modern Defence Forces at home and overseas and provide Medical Officers with a fulfilling and rewarding career.

The governance structure proposed in the report for the delivery of change in this area has been put in place. A dedicated Programme Group with civilian and military representatives is now co-ordinating a range of projects. It is progressing a number of the PA recommendations including the structure of the Medical Corps, the alignment of Defence Forces and Medical Corps strategies and the development of medical information systems. Work is also progressing on the recommendations on training and education, clinical issues and the centralised command structure, along with financial arrangements and outsourcing. A number of the working groups that are in place dealing with these issues have already made recommendations, which are being considered by the Steering Committee.

The Programme Group that has been charged with overseeing the progress of the Working Groups briefed the Steering Group on progress in January. The five working groups that have been established continued to meet regularly since the beginning of the year. Three of the Working Groups have recently submitted reports. The Training and Education group and the Organisation and Establishment Working Group have submitted Interim Reports and the Clinical Review Group has submitted its January monthly report. The Steering Group will consider these in the near future.

The Steering Group has approved the new headquarters organisation for the unit which now includes a Line officer commanding the medical corps. The Centralised Command Structure for the Medical Corps has not been established. PA did not identify structures, numbers and processes within the Centralised Command Structure in detail, these have yet to be finalised. A number of Working Groups are looking at these issues and when they have issued their final reports implementation of the centralised command structure will commence. However it has already been agreed that the rank of the Line Officer Commanding the Centralised Medical Corps during the change process will be that of Colonel.

It is planned that the new Centralised Medical Corps will be established before the end of the year.

Defence Forces Promotions.

74. **Deputy Seán Barrett** asked the Minister for Defence the number of promotions by rank and appointment that have occurred within the Defence Forces since 20 January 2010; the number of acting up appointments made since that date; further to Parliamentary Question No. 69 of 20 January 2010, if all promotions have been implemented, and if not, the timescale by which all promotions will be implemented; and if he will make a statement on the matter. [9260/10]

81. **Deputy Pat Rabbitte** asked the Minister for Defence the number of appointments that have been filled to date in 2010 in view of the recent decision to approve 50 promotions at

senior level within the Defence Forces; when the outstanding posts will be filled; and if he will make a statement on the matter. [9192/10]

Minister of State at the Department of Defence (Deputy Pat Carey): I propose to take Questions Nos.74 and 81 together.

Resulting from the Government Decision regarding the reduction of public service numbers and the reduced budgetary provision available for 2009, recruitment, promotions and acting up appointments in the Permanent Defence Forces were suspended.

However, in order to maintain the ongoing operational capability of the Defence Forces, a limited number of exceptions to the application of the measures to the Permanent Defence Force were sought in a submission to the Minister for Finance, in June 2009. The need for limited recruitment, promotions and acting appointments for the Defence Forces was outlined.

As was announced on the 24 November 2009, the Minister for Finance approved an allocation of 50 promotions, for the Permanent Defence Force. These promotions were approved to address priority operational and command requirements of the Permanent Defence Force.

In order that these promotions were allocated in a manner that gives protection to the operational capacity of the Defence Forces, Military Management reviewed existing vacancies in all ranks across the organisation as a whole, so as to prioritise those to be filled from the approved promotions.

Following on from the Military review and the identification of priority posts, a total of 9 Officer promotions and 15 enlisted promotions have been completed to date. The 15 enlisted promotions which include 11 Sergeants, 1 Flight Sergeant and 3 Company Quarter Master Sergeants (CQMS) have been completed since 20 January last. A further 12 enlisted promotions will be completed in the coming weeks as soon as the administrative procedures relating to them have been completed. A number of senior technical officer vacancies also remain to be filled. The residual approved promotions will be used to fill priority posts arising in the next few months.

In addition, since 20 January last, 2 posts have been filled through acting up appointments. Of these 1 officer is in a home appointment and 1 non-commissioned officer is in an overseas appointment.

Officials in the Department are continuing to engage with the Military Authorities in relation to the review of structures and posts required to meet the operational requirements of the Defence Forces in light of the Government decision to maintain a complement of 10,000 personnel.

I am glad to say that while these are challenging times, the Defence Forces have risen to the challenge and are organised, equipped and staffed in a manner, which will ensure that they can continue to deliver the services required of them by Government.

Naval Service Patrols.

75. **Deputy Emmet Stagg** asked the Minister for Defence the number of patrolling days undertaken by Naval Service vessels in each year from 2005 to 2009; the planned number for 2010; if he has had discussions with the fishing industry or the Customs Authority regarding the implications for fishery protection and drug smuggling preventative measures for the planned reduction in patrolling days; and if he will make a statement on the matter. [9194/10]

Minister of State at the Department of Defence (Deputy Pat Carey): The Naval Service achieved the following patrol days in each year from 2005 to 2009:

[Deputy Pat Carey.]

| Year | Patrol Days |
|------|-------------|
| 2005 | 1,681 |
| 2006 | 1,658 |
| 2007 | 1,661 |
| 2008 | 1,658 |
| 2009 | 1,588 |

As part of the Estimates process for 2010, the Department sought to implement measures which would bring about the savings or the equivalent thereof as identified in the Report of the Special Group on Public Service Numbers and Expenditure Programme. As part of this process and to achieve a reduction in current expenditure, the Minister for Defence proposed a cut to the Naval Service patrol days in 2010. The planned number of patrol days for 2010 is 1,480.

The Naval Service has a concurrent multi-functional role as the State's primary seagoing agency. On any given patrol day the Naval Service can carry out a number of taskings on behalf of other state agencies such as the Sea Fisheries Protection Agency (SFPA), an Garda Síochána and the Customs Service of the Revenue Commissioners.

The SFPA is Ireland's competent authority for seafood safety and sea fisheries protection. Officials from my Department and the Naval Service are making arrangements to meet with the SFPA to discuss its priorities and how to optimise fishery patrol days to achieve those priorities having regard to the reduction in the over all number of patrol days.

Naval Service patrols at sea undoubtedly act as a deterrent in the fight against illegal fishing and in combating drug trafficking. However, increasingly these roles are governed by intelligence-led operations and greater co-operation between both national and international agencies.

I am therefore fully confident that the Naval Service will continue to meet all taskings assigned to them within the revised patrol pattern for 2010.

Question No. 76 answered with Question No. 67.

Defence Forces Strength.

77. **Deputy Kathleen Lynch** asked the Minister for Defence if, in view of the drop in the numbers in the Defence Forces, there are signs that there are difficulties in maintaining a credible organisation; and if he will make a statement on the matter. [9179/10]

93. **Deputy Bernard J. Durkan** asked the Minister for Defence the strength of the Army, Naval Service and Air Corps; the degree to which numbers have fluctuated in each of the past three years to date; the number who have retired or taken early retirement; his plans for further recruitment in 2010 and future years; and if he will make a statement on the matter. [9238/10]

Minister of State at the Department of Defence (Deputy Pat Carey): I propose to take Questions Nos. 77 and 93 together.

I am advised by the Military Authorities that the strength of the Permanent Defence Force as at 31 January 2010, the latest date for which figures are available, was 9,906 comprising 8,070 Army, 805 Air Corps and 1,031 Naval Service. The figures for the last three years are as follows:

| Year | Air Corps | Naval Service | Army | Total |
|------|-----------|---------------|-------|--------|
| 2009 | 801 | 1,037 | 8,095 | 9,933 |
| 2008 | 832 | 1,070 | 8,506 | 10,408 |
| 2007 | 845 | 1,077 | 8,512 | 10,434 |

The total number of personnel that have left the Permanent Defence Forces on an annual basis since 2007 is as follows:

| Year | Number |
|------|--------|
| 2007 | 694 |
| 2008 | 579 |
| 2009 | 517 |
| 2010 | 38 |

I am acutely aware of the impact of the moratorium on the Defence Forces in light of the very high turnover rate that is part of any military organisation. The impact is being monitored on an ongoing basis and specific requirements have been identified to the Minister for Finance regarding limited exceptions to the moratorium which are targeted at maintaining the operational capability and command arrangements of the Permanent Defence Force.

The Defence Forces have improved in every respect since 2000 through the implementation of the White Paper. This represents a significant public service success story. However the economic reality is such that the Defence organisation must contribute to the correction of the public finances. I am advised that at this time the Defence Forces retain the capacity to undertake the tasks laid down by Government both at home and overseas. It is intended, within the resources available, to retain the capacity of the organization to operate effectively across all roles while contributing to the necessary public service commitments.

Defence Forces Equipment.

78. **Deputy Denis Naughten** asked the Minister for Defence his plans to review the resources and equipment available to the Defence Forces in view of the recent weather conditions; and if he will make a statement on the matter. [9168/10]

Minister of State at the Department of Defence (Deputy Pat Carey): The Framework for Major Emergency Management sets out a structure enabling the Principal Response Agencies (An Garda Síochána, the Health Service Executive and Local Authorities) to prepare for, and make a coordinated response to, major emergencies resulting from events such as severe weather. The Defence Forces are not a principal response agency for such emergency situations that arise.

Requests for Aid to the Civil Authorities are met within the normal Defence Forces means and capabilities, and the Department of Defence does not purchase specialised equipment for the Defence Forces with the sole purpose of rendering Aid to the Civil Authorities. However, certain vehicles and equipment held by the Defence Forces to meet their current operational requirements can also be utilised to provide assistance to the civil authorities, as was done during the recent severe weather. Some of the equipment used included 4x4 Patrol vehicles, 4x4, 6x6 and 8x8 trucks, helicopters and boats.

Overseas Missions.

79. **Deputy Bernard J. Durkan** asked the Minister for Defence the position regarding

[Deputy Bernard J. Durkan.]

requests from the EU or UN for Irish troop deployments on peacekeeping or peace enforcement missions at various locations; the extent to which such deployments are planned for the foreseeable future; and if he will make a statement on the matter. [9239/10]

198. **Deputy Bernard J. Durkan** asked the Minister for Defence the anticipated extent of overseas peacekeeping and peace enforcement missions in the next 12 months; and if he will make a statement on the matter. [9649/10]

Minister of State at the Department of Defence (Deputy Pat Carey): I propose to take Questions Nos. 79 and 198 together.

Ireland has offered, through the UN Standby Arrangements System (UNSAS), to provide up to 850 military personnel for overseas service at any one time. This figure equates to some 10% of Ireland's standing Army (excluding Reserves) and demonstrates Ireland's commitment to the cause of international peace. This is the maximum sustainable commitment that Ireland can make to overseas peacekeeping operations.

Ireland is currently contributing 759 Defence Forces personnel to 11 different missions throughout the world. Full details of all personnel currently serving overseas are listed in the tabular statement below.

The main overseas missions, in which Defence Forces personnel are currently deployed, are the United Nations Mission in the Central African Republic and Chad (MINURCAT) with 420 personnel, the NATO-led International Security presence (KFOR) in Kosovo with 236 personnel and the EU-led operation in Bosnia and Herzegovina, ALTHEA, with 44 personnel. Other personnel are serving as monitors and observers with the United Nations and the Organisation for Security and Cooperation in Europe (OSCE). Staff are also deployed at the organisational headquarters of the EU, OSCE and NATO.

As outlined in the budget in December 2009, it has been decided that the Defence Forces commitments to overseas peace support operations will be scaled back in 2010 as one of the budgetary expenditure reductions. The operations where Ireland will be reducing its commitments will be KFOR in Kosovo and Operation ALTHEA in Bosnia and Herzegovina. In April 2010 at the next rotation, it is planned to draw-down Irish personnel from KFOR from the current 236 personnel to 50 (approx) and to retain a small residual component post October 2010. In July 2010, at the end of the next rotation to Operation ALTHEA, Ireland will reduce its current contribution of 44 personnel to approx 5 personnel.

With regard to the United Nations Mission in the Central African Republic and Chad (MINURCAT), the UN mandate for this mission is due to expire on 15 March 2010. The question of the renewal of the mandate and the duration of any such renewal is currently under discussion at the UN and discussions in this regard are also ongoing with the Chadian authorities.

I am aware that President Deby has written to the UN Secretary General suggesting that the MINURCAT mission should be brought to a conclusion and withdrawn. It will be a matter for the Security Council to decide as and when a mission should be concluded.

Subject to renewal of the mandate by the UN Security Council, Ireland is committed to maintaining the Defence Forces contingent in Chad with MINURCAT for at least another year. However, should the UN mandate end, then the Defence Forces will withdraw and it is envisaged that a period of consolidation and renewal would be allowed for training and equipment maintenance before the Defence Forces would undertake a further mission. The costs of repatriation of Irish troops and equipment from MINURCAT would be met by the UN.

With regard to future deployments, Ireland receives requests, from time to time, in relation to participation in various missions and these are considered on a case-by-case basis. When considering any particular request, the existence of realistic objectives and a clear mandate,

which has the potential to contribute to a political solution, consideration of how the mission relates to the priorities of Irish foreign policy and the degree of risk involved are amongst the factors considered.

Apart from a recent EU request to despatch members of the Permanent Defence Force for service with the proposed EU Common Security and Defence Policy (CSDP) military mission to contribute to the training of Somali Security Forces (EUTM Somalia) to be carried out in Uganda, no other deployments are planned or envisaged at this time. In response to the EU request, the Government decided yesterday to despatch five (5) members of the Permanent Defence Force for service with the proposed EU training mission, which is scheduled to be launched in May 2010.

Members of the Permanent Defence Force Serving Overseas as of 19 February 2010

| | | Number |
|--------|---|------------|
| 1. | <i>UN Missions</i> | |
| (i) | UNIFIL (United Nations Interim Force in Lebanon) HQ | 8 |
| (ii) | UNTSO (United Nations Truce Supervision Organisation) — Israel, Syria and Lebanon | 12 |
| (iii) | MINURSO (United Nations Mission for the Referendum in Western Sahara) | 3 |
| (iv) | MONUC (United Nations Mission in Democratic Republic of Congo) | 3 |
| (v) | UNOCI (United Nations Mission in Ivory Coast) | 2 |
| (vi) | MINURCAT (United Nations Mission in the Central African Republic and Chad) — HQ | 13 |
| | MINURCAT (United Nations Mission in the Central African Republic and Chad) — 102nd Infantry Battalion | 407 |
| | TOTAL | 448 |
| | <i>UN Mandated Missions</i> | |
| (vii) | EUFOR (EU-led Operation in Bosnia and Herzegovina) | 44 |
| (viii) | KFOR (International Security Presence in Kosovo) — HQ | 20 |
| | KFOR (International Security Presence in Kosovo) 41st Inf Group | 216 |
| (ix) | ISAF (International Security Assistance Force in Afghanistan) | 7 |
| | TOTAL NUMBER OF PERSONNEL SERVING WITH UN MISSIONS | 735 |
| 2. | <i>Organisation for Security and Co-operation in Europe (OSCE)</i> | |
| (i) | OSCE Mission to Bosnia & Herzegovina | 2 |
| (ii) | OSCE Mission in Belgrade — Serbia | 1 |
| (iii) | Staff Officer, Higher Level Planning Group, Vienna | 1 |
| | TOTAL NUMBER OF PERSONNEL SERVING OSCE | 4 |
| 3. | <i>EU Military Staff</i> | |
| | Brussels | 7 |
| 4. | <i>Nordic Battlegroup HQ Staff — Sweden</i> | 4 |
| 5. | <i>Military Representatives/Advisers/Staff</i> | |
| (i) | Military Adviser, Permanent Mission to UN, New York | 1 |
| (ii) | Military Adviser, Irish Delegation to OSCE, Vienna | 1 |
| (iii) | Military Representative to EU (Brussels) | 4 |
| (iv) | Liaison Office of Ireland, NATO/PfP (Brussels) | 2 |
| (v) | Military Representative to NATO/PfP Co-ordination Cell/Supreme Headquarters Allied Powers Europe (SHAPE), Mons, Belgium | 1 |
| | TOTAL NUMBER OF DEFENCE FORCES PERSONNEL SERVING OVERSEAS | 759 |

Military Archives.

80. **Deputy Richard Bruton** asked the Minister for Defence if reports have been commissioned into the status and needs of the military archives; if the current premises are suitable for the protection, usage and storage of the archives in the possession of the military archives; and if he will make a statement on the matter. [9269/10]

Minister of State at the Department of Defence (Deputy Pat Carey): The Military Archives, located in Cathal Brugha Barracks, Rathmines, Dublin 6, is the place of deposit for the records of the Department of Defence, the Defence Forces and the Army Pensions Board under the terms of Section 14 of the National Archives Act 1986. Military archives are held there and, because of storage space constraints, in other locations.

A Military Pensions Archive project, covering the 1916 Rising and the War of Independence, is underway. The purpose of the project is to make the records for this period available to the public and to historians in good time for the 100th anniversary of the 1916 Rising in 2016.

The requirement for a more suitable home for the Military Archives has been recognised for some time and has been the subject of significant research. The long-term accommodation for the Military Archives will be reviewed in the context of the Military Pensions Archive project.

Question No. 81 answered with Question No. 74.

Departmental Estimates.

82. **Deputy Ruairí Quinn** asked the Minister for Defence if he will make a statement on his Department's Estimate for 2010. [9190/10]

Minister of State at the Department of Defence (Deputy Pat Carey): Like other areas of the public service, the Defence Organisation will have to operate on a reduced budget for 2010, the details of which are set out in the Revised Estimates Volume for 2010. This was published on the 18th February. The gross total allocation for Defence in 2010 is €964m, comprising €755m in the Defence Estimate and €209m in the Army Pensions Estimate.

The Government is committed to maintaining the strength of the Permanent Defence Force at a level of 10,000 all ranks within available resources. The Defence Forces will continue to operate across all of the roles assigned by Government.

The investment in improved equipment and training made over the past few years means that the Defence Forces are in a healthy state both in terms of personnel and equipment to meet the challenges that lie ahead. They have improved in every respect since 2000 and comprehensive reform of structure and human resources, together with major investment in infrastructure and equipment, has been achieved during the past ten years.

In addition to savings of some €34m arising from the reductions in public service pay provided for in the Financial Emergency Measures in the Public Interest (No. 2) Act 2009, further payroll savings of the order of €14m will be achieved by reduced Permanent Defence Force personnel numbers, reduced civilian employee numbers and lower levels of paid training days for the Reserve Defence Force.

Reductions in the number of Permanent Defence Force personnel deployed overseas to Kosovo and Bosnia-Herzegovina will achieve savings of up to €7m, while reduced Naval Service patrol days and the optimisation of Air Corps flying hours will deliver savings of €2.2m.

The Coiste an Asgard sail training scheme is being discontinued, resulting in a saving of €0.8m.

Additional Appropriations in Aid of up to €13m are anticipated, mainly in respect of UN receipts, property sales, cash escorts and military guards. The scheme of full recovery for security services will be extended to An Post, the Central Bank and other organisations.

The 2010 capital expenditure allocation of €16m will be focused on new building works to improve the accommodation and facilities of the Defence Forces.

I am satisfied that priority programmes of investment in equipment and infrastructure can be maintained within the approved allocation.

Irish Red Cross.

83. **Deputy Liz McManus** asked the Minister for Defence when he will introduce legislation regarding the Irish Red Cross; and if he will make a statement on the matter. [9184/10]

90. **Deputy Joe Costello** asked the Minister for Defence his views on the governance review of the Irish Red Cross; and if he will make a statement on the matter. [9172/10]

195. **Deputy Jimmy Deenihan** asked the Minister for Defence the number of persons on the board of the Irish Red Cross; the number of ministerial nominees on the board of the Irish Red Cross; the number of board members serving 20 years or longer; the number serving ten years or longer; the number serving five years or longer; if he will introduce term limits to limit the time a person can serve on the board of the Irish Red Cross; and if he will make a statement on the matter. [9631/10]

Minister of State at the Department of Defence (Deputy Pat Carey): I propose to take Questions Nos. 83, 90 and 195 together.

The Irish Red Cross Society is an autonomous body, established by the Irish Red Cross Society Order 1939 pursuant to the Red Cross Act, 1938. The Society is an independent charitable organisation with full powers to manage and administer its affairs through its governing body, the Central Council.

Membership of the Central Council is by way of appointment by the Government or by election in accordance with the rules of the Society. The Central Council in turn elects an Executive Committee. The present Executive Committee was constituted at a meeting of the Central Council in June 2009. It presently has ten members. The positions of Chairman who is appointed by the President of Ireland on the advice of Government, and one ordinary member, a Government appointee to Central Council, are vacant. Of the remaining ten members of the Committee, three are Government appointees to Central Council.

No member of the current Executive Committee has attained twenty years or more service. One member has attained more than eighteen years but less than nineteen years service. Two other members have served more than ten years; and two members have served more than five years but less than ten years.

The Central Council of the Irish Red Cross, at its meeting on 28 November, 2009 adopted and approved the recommendations of the Governance Review Group of the Irish Red Cross which, inter alia, provide for Board rotation and finite terms of office for Board members. Such recommendations are in accordance with the Guidance on Governance standards of the International Federation of Red Cross and Red Crescent Societies. The International Federation of Red Cross and Red Crescent Societies has been and is supportive of the review process, which was undertaken by the Irish Red Cross Society.

[Deputy Pat Carey.]

The report completed by the Temporary Working Group established by the Irish Red Cross Society to examine the issue of Governance in the Society was received in the Department of Defence at the end of January 2010.

The Minister for Defence is anxious to ensure that all his dealings with the Society are conducted in accordance with the Society's basic principle of independence from Government.

Officials in the Department of Defence met recently with officials in the Irish Red Cross Society to discuss the contents of the report and the implications of the recommendations arising from the report.

The contents of the report will be the subject of interdepartmental and interagency consultations on the reform process. The Department of Foreign Affairs, which engages on an ongoing basis with the various components of the International Red Cross Movement, and with the Irish Red Cross Society, in relation to its overseas aid work, will be invited to participate in these discussions. Thereafter, the Minister for Defence will bring before Government any statutory changes deemed necessary.

Question No. 84 answered with Question No. 73.

Irish Language.

85. **Deputy Liz McManus** asked the Minister for Defence the Irish language initiatives that have been undertaken in the Defence Forces since 1 January 2009; and if he will make a statement on the matter. [9183/10]

Minister of State at the Department of Defence (Deputy Pat Carey): The Defence Forces have continued to implement the initiatives of the Defence Forces' Language Scheme 2006 — 2009, under Section 11 of the Official Languages Act, 2003. The 2006 — 2009 scheme was audited by An Coimisinéar Teanga and the Defence Forces are currently in correspondence with An Roinn Gnóthaí Pobail, Tuaithe agus Gaelteacha in the development of a new scheme. The following are the initiatives taken since 1 January 2009:

1. The Defence Forces ran its annual Campa Gaeilge in An Cheathrú Rua, Galway from the 24th to 29th May 2009. The camp was conducted under the aegis of Acadamh na Gaeilge, National University of Ireland, Galway and was attended by over sixty personnel.
2. The Defence Forces Comhairle na Gaeilge select a number of personnel annually to undergo a Diploma in 'Cruinn Scríobh agus Labhairt na Gaeilge'. The diploma is conducted under the aegis of Acadamh na Gaeilge, NUI, Galway. In 2009, two students participated in this course.
3. Five Defence Forces students attended the Government sponsored Cúrsa Gaeleagrais in 2009. The students attended the Gaeleagras course in Connemara and Baile an Fheirtearaigh, Co. Chiarraí.
4. One student completed a Masters programme in Scríobh agus Cumarsáid na Gaeilge in University College Dublin.
5. Four students underwent an intensive course in 'Cruinn Scríobh an Phraesráitis' conducted in association with Conradh na Gaeilge.

Commemorative Events.

86. **Deputy Jan O’Sullivan** asked the Minister for Defence the progress reported regarding the projects relating to the 2016 commemoration of the 1916 Rising at the Oireachtas consultation group report on the 2 December 2009; and if he will make a statement on the matter. [9185/10]

Minister of State at the Department of Defence (Deputy Pat Carey): The All Party Oireachtas Consultation Group on the Centenary of the 1916 Rising met on Wednesday, 2 December, 2009 for discussions and site visits to Glasnevin Cemetery and the National Museum of Ireland Collins Barracks to view projects relating to the 2016 commemoration of the 1916 Rising. In the discussion, the Group were informed of recent developments and events including:

- (a) Commemorations at
 - a. the General Post Office, Dublin on Easter Sunday, 12 April, 2009
 - b. the War Memorial Park, Islandbridge, 11 July, 2009
 - c. National Day of Commemoration, Kilmainham, 12 July, 2009.
- (b) Arbour Hill renewal works including restoration and extension of the existing church car park, repair and restoration of all existing cemetery graves, repair of cemetery pathways and the planting of new trees.
- (c) The future location of the Abbey Theatre and possible redevelopment at the GPO with reference also to the protection of 16 Moore Street.
- (d) Recent acquisition for the national collections of items of interest relating to the independence period, amongst which were the 964 items of the Stanley Collection at a cost €3.5million. Other items purchased/donated include a letter from P.H. Pearse to General Maxwell and General Maxwell’s brief reply and a copy of the Proclamation.
- (e) Assistance towards themed publications i.e. the Royal Irish Academy’s recent publication on Seán Lemass, and the SIPTU sponsored publication on James Connolly.
- (f) The Military Archives Project which envisages that files, being the service records of personnel involved in the struggle for independence, would be released into the public domain on a phased basis in the years leading to the Centenary of the Rising. The Group were informed that an Advisory Board of historians had accepted invitations to assist with this project.

At Glasnevin Cemetery, the Group inspected progress on the significant programme of ongoing restoration works underway for which €6.4m of NDP funding has been provided to date. A new interpretative centre is scheduled to be opened in April, 2010.

While at Glasnevin, the Group noted the four headstones recently erected by the Commonwealth War Graves Commission on graves recording the British military service of the deceased. It is envisaged that further such headstones will be erected over coming years.

Following a meeting with the Director of the National Museum, the Group visited two exhibitions: *Soldiers and Chiefs — The Irish at Home and Abroad from 1550* and *The Easter Rising: Understanding 1916*.

[Deputy Pat Carey.]

The Group also visited the ongoing restoration work being conducted on Erskine Childers' yacht *Asgard*. This project is scheduled to be completed by the end of June 2010.

The future use of the GPO including the possible development of cultural and amenity projects is under consideration. The suggested relocation to the GPO complex of the Abbey Theatre is currently being examined by the Office of Public Works.

The decision on future use will have regard to all advice and suggestions received.

It was agreed that the Group would meet again early in 2010.

Courts-Martial.

87. **Deputy Emmet Stagg** asked the Minister for Defence the position regarding the investigation being carried out into the allegation that a member of the Naval Service was supplying information on patrol vessel movements to drug smugglers; and if he will make a statement on the matter. [9195/10]

102. **Deputy Ciarán Lynch** asked the Minister for Defence if the Director of Military Prosecutions has come to a decision regarding the report that followed the investigation which was carried out into the allegation that a member of the Naval Defence was supplying information on the movements of patrol vessels to drug smugglers; and if he will make a statement on the matter. [9176/10]

Minister of State at the Department of Defence (Deputy Pat Carey): I propose to take Questions Nos. 87 and 102 together.

The matter referred to is currently the subject of Court Martial proceedings and as such it would be inappropriate for me to comment in relation to it until these proceedings have been concluded.

Defence Forces Training.

88. **Deputy Thomas P. Broughan** asked the Minister for Defence the extent of physical education facilities in each Defence Forces establishment; and if he will make a statement on the matter. [9171/10]

91. **Deputy Joan Burton** asked the Minister for Defence the number of personnel with physical education qualifications in each branch of the Defence Forces; and if he will make a statement on the matter. [9170/10]

Minister of State at the Department of Defence (Deputy Pat Carey): I propose to take Questions Nos. 88 and 91 together.

I am advised by the Military Authorities that, while there are a number of gymnasiums and physical fitness facilities in each Defence Forces establishment, there is one actual physical education facility, namely the Defence Forces Physical Education School in the Curragh Camp.

I am also advised by the Military Authorities that forty two (42) personnel are identified as being qualified to hold the appointment of Brigade Physical Education Officer. Thirty one (31) of these personnel hold a Bachelor of Education in Physical Education and eleven (11) hold a Bachelor of Science in Sports and Exercise Science. All of these personnel are currently serving in the Army.

I am further advised that these arrangements meet the needs of the Defence Forces at home and abroad.

Departmental Expenditure.

89. **Deputy Willie Penrose** asked the Minister for Defence the level of payroll savings achieved by his Department in 2009 arising from retirements from the Defence Forces and the enforcement of the embargo; and if he will make a statement on the matter. [9187/10]

Minister of State at the Department of Defence (Deputy Pat Carey): The pay and allowances of the Permanent Defence Force (PDF) are provided for in subheads B and C of the Defence Vote. The outturn on those subheads was €539.4m in 2008 and €536.9 in 2009. The 2009 figure includes the carry-over costs of two general pay increases granted under the Towards 2016 Agreement during 2008, as well as the full year costs of overseas allowances for the UN mission to Chad (in which the PDF participated for part only of 2008). The 2009 figure does not reflect offsetting receipts of some €21.5m in respect of the pension levy, which was introduced from 1 March 2009.

The strength of the PDF was 10,408 on 1 January 2009 and stood at 9933 on 31 December 2009, a reduction of 475. Based on this reduction and assuming that wastage was spread evenly throughout the year, it is estimated that the resulting savings on pay and allowances in 2009 were of the order of €11m.

Question No. 90 answered with Question No. 83.

Question No. 91 answered with Question No. 88.

Question No. 92 answered with Question No. 67.

Question No. 93 answered with Question No. 77.

Question No. 94 answered with Question No. 69.

Naval Service Vessels.

95. **Deputy Pat Rabbitte** asked the Minister for Defence his plans for vessel replacement in the Naval Service; and if he will make a statement on the matter. [9193/10]

Minister of State at the Department of Defence (Deputy Pat Carey): A vessel replacement strategy for the Naval Service is currently in progress following the commencement of a tender competition in 2007. The competition sought tenders for the purchase of two Offshore Patrol Vessels (OPVs) and one Extended Patrol Vessel (EPV), with an option for up to two additional vessels. The process comprised two stages — Stage 1, a Request for Proposals and Stage 2, an Invitation to Tender.

During 2008, Stage 1 of the tender process was completed and, insofar as the OPVs are concerned, tenders were received in response to Stage 2. Following tender evaluation, a preferred bidder was selected last year and detailed and extensive contract negotiations are now close to conclusion. The decision to proceed with the final award of contract to purchase the OPVs will be subject to Government approval and agreement on funding. Subject to such approval, it is expected that the new vessels will be delivered for acceptance by the Naval Service on a phased basis from 2012. In relation to the larger EPV, Stage 1 of the competition has been completed. Stage 2 will not be initiated until the contract for the OPVs has been concluded.

This strategy combined with a continuous process of refurbishment and repair will ensure that the operational capability of the Naval Service is maintained at a satisfactory level.

[Deputy Pat Carey.]

The acquisition of modern new vessels will ensure that the Service will be fully equipped to carry out its day to day roles in enforcing the State's sovereign rights over our waters and our fisheries and meeting Ireland's obligations in the area of maritime safety and security and fisheries protection.

Defence Forces Reserve.

96. **Deputy Joe Costello** asked the Minister for Defence the level of recruitment into the Reserve Defence Force since 1 January 2010; and if he will make a statement on the matter. [9173/10]

Minister of State at the Department of Defence (Deputy Pat Carey): I am advised by the Military Authorities that the level of recruitment into the Reserve Defence Force between 1 January and 31 January 2010, the latest date for which figures are available, was twenty two (22) personnel.

Limited recruitment to fill vacancies arising due to existing Reserve members resigning, or being discharged in the normal manner, is continuing, subject to the strength level which existed at 1 January 2009 not being exceeded, and will be monitored and kept under review in the light of the uptake of paid training within the RDF and future budgetary provisions.

Defence Forces Operations.

97. **Deputy Willie Penrose** asked the Minister for Defence the number of occasions on which the Army Ordnance Corps has been called out to deal with suspicious devices during 2009 and to date in 2010; the number of cases which were actual explosive devices; the number of occasions on which the devices were hoaxes; and if he will make a statement on the matter. [9186/10]

Minister of State at the Department of Defence (Deputy Pat Carey): The primary responsibility for the maintenance of law and order rests with an Garda Síochána. The Defence Forces, pursuant to their role of rendering aid to the civil power, assist the Gardaí as required. Requests for aid to the civil power are normally made by a member of an Garda Síochána not below the rank of Inspector.

The Explosive Ordnance Disposal (EOD) Team respond when a request is made by an Garda Síochána, to the relevant Brigade, for assistance in dealing with a suspect device or for the removal of old ordnance.

The number of call outs made by EOD teams from 1 January 2009 to 14 February 2010 is as follows:

| Year | Total | Hoaxes (Included in total) |
|------|------------------------|----------------------------|
| 2009 | 196 | 84 |
| 2010 | 25 (as of 14 Feb 2010) | 6 |

Defence Forces Review.

98. **Deputy Eamon Gilmore** asked the Minister for Defence if the Value for Money and Policy Review of the Reserve Defence Force has commenced; and if he will make a statement on the matter. [9174/10]

Minister of State at the Department of Defence (Deputy Pat Carey): In line with the Government's 2009-2011 programme of Value for Money and Policy reviews, The Department of Defence is committed to undertaking a Value for Money Review of the Reserve Defence Force in 2010.

A Steering Committee comprising representatives from the Department of Defence, the Defence Forces and the Department of Finance has recently met and work has formally commenced. In accordance with revised guidelines for the conduct of Value for Money Reviews, an independent chair was appointed to the Steering Committee.

The Review will be progressed over the coming months and it is anticipated that the findings of this Review, together with the lessons learned from the Reserve Defence Force Review Implementation Plan, will assist in informing decisions regarding the future development of the Reserve Defence Force.

Ministerial Transport.

99. **Deputy Kathleen Lynch** asked the Minister for Defence the review he plans to carry out on ministerial transport; and if he will make a statement on the matter. [9178/10]

Minister of State at the Department of Defence (Deputy Pat Carey): The Ministerial Air Transport Service delivered by the Air Corps continues to provide the Government and the President with an independent, flexible and effective air transport service to assist in meeting national and international obligations. There are no plans at present to carry out a review of the Service, and any decision to do so is a matter for Government.

Civil Defence.

100. **Deputy Joan Burton** asked the Minister for Defence the arrangements he has made for the preparation of a third Strategic Plan for the Civil Defence Organisation in respect of the period 2011 to 2014; and if he will make a statement on the matter. [9169/10]

Minister of State at the Department of Defence (Deputy Pat Carey): The preparation of the Strategic Plan for Civil Defence is a matter for the Civil Defence Board in the first instance. The current plan covers the period May 2007-May 2010.

I understand from the Board that preparation of the next Strategic Plan, which will cover the period May 2010 — May 2013, commenced last November with the issue of consultation papers to Local Authorities as part of the consultation process with the Authorities and with Civil Defence volunteer members.

The majority of consultation papers have now been returned to the Board and feedback is being collated at present. A number of meetings have been scheduled for the Board and Committees of the Board, who are broadly representative of the major Civil Defence stakeholders, to ensure the timely completion of the Strategic Plan.

Departmental Properties.

101. **Deputy Brian O'Shea** asked the Minister for Defence his plans for the Military Barracks, Waterford City; and if he will make a statement on the matter. [9181/10]

Minister of State at the Department of Defence (Deputy Pat Carey): The Department's property at the Military Barracks, Waterford City consists of less than one acre. It is currently used by the Reserve Defence Forces and by County Waterford Civil Defence. There are no plans at the moment to change its status.

Question No. 102 answered with Question No. 87.

Overseas Missions.

103. **Deputy Michael D. Higgins** asked the Minister for Defence the progress that will be made in 2010 regarding the Reserve Defence Force serving with the Permanent Defence Forces on overseas missions; and if he will make a statement on the matter. [9182/10]

Minister of State at the Department of Defence (Deputy Pat Carey): In 2009 the plan to deploy members of the Reserve Defence Force (RDF) on overseas peace support operations was postponed for the foreseeable future.

My Department was in the process of making Regulatory provision to allow suitably qualified members of the RDF to qualify for service with the Permanent Defence Force (PDF) for the express purpose of this overseas service. However, the Government introduced a moratorium on recruitment to the Public Service with effect from 27th March 2009. This moratorium prevented the planned recruitment of members of the Reserve to the PDF for the purpose of overseas service. Reductions in the Defence payroll budget have also limited the scope for payment of additional personnel.

As outlined in the budget in December 2009, it has been decided that the Defence Forces commitments to overseas peace support operations will be scaled back in 2010. As a consequence, the number of PDF personnel serving overseas is to be reduced.

The Reserve Defence Force Review Implementation Plan, which was developed following broad stakeholder consultation, has provided the framework for the development of the Reserve over recent years. The Plan has informed the development of the Reserve up to the end of 2009. There is now a requirement to examine the progress that has been made and to chart the future direction of the Reserve. Work has commenced on a Value for Money Review of the Reserve and the findings of this Review, together with the lessons learned from the Implementation Plan to date, will inform future plans for the Reserve.

EU Funding.

104. **Deputy Niall Collins** asked the Tánaiste and Minister for Enterprise, Trade and Employment if the European Globalisation Fund for a company (detail supplied) in County Limerick can be used to grant-aid business start-up applications. [9373/10]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): The European Globalisation Adjustment Fund (EGF) funds active labour market interventions for a range of measures including business start up and aid for self-employment.

Co-funded assistance measures including aid for business start-ups, self-employment and entrepreneurship programmes was sought under the EGF application submitted in June 2009 for those workers made redundant at DELL's Raheen plant and at ancillary enterprises in the Mid-West region. This application was subsequently approved by the EU budgetary authorities at the end of 2009.

Some of the approved EGF funding will be used to provide grant aid for business start-ups. Enterprise Ireland and the relevant City and County Enterprise Boards (CEBS) have responsibility for the provision of entrepreneurial supports under the EGF. It is envisaged that circa €2m will be available to fund a range of entrepreneurial supports over the duration of the EGF implementation period.

The CEBS will handle most business start up applications and these will be assessed in accordance with CEB eligibility criteria. The CEBS provided advice to individual workers at

the EGF Information Fair held in Raheen on 12 and 13 February last and is planning follow up action with interested workers.

The City and County Enterprise Boards continue to remain available to any of those who were unable to attend the Information Fair and who wish to explore opportunities for starting their own businesses.

Illegal Imports.

105. **Deputy Chris Andrews** asked the Tánaiste and Minister for Enterprise, Trade and Employment her views on banning the importation of goods originating from settlements in the West Bank that are illegal under international law; and if she will make a statement on the matter. [9432/10]

Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher): The question of imposing sanctions on products from Israeli settlements in the West Bank is primarily a matter for my colleague the Minister for Foreign Affairs. Any decision in this matter would involve consideration and political agreement among Member States of the EU.

Company Closures.

106. **Deputy Ulick Burke** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of enterprises, commercial and manufacturing that went into liquidation in County Galway during each of the years 2006, 2007, 2008 and 2009; the number of jobs lost; the value of exports lost; and if she will make a statement on the matter. [9435/10]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): The Companies Registration Office does not maintain data on liquidations on a county basis.

Community Employment Schemes.

107. **Deputy Ulick Burke** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of persons involved in FÁS community employment schemes in County Galway for each of the years 2006, 2007, 2008 and 2009; the number of supervisors involved; the training programmes involved in these schemes; the cost of these schemes in County Galway for each of these years; and if she will make a statement on the matter. [9437/10]

Minister of State at the Department of Enterprise, Trade and Employment (Deputy Dara Calleary): The information requested is being collated and will be passed to the Deputy as soon as possible.

Company Closures.

108. **Deputy Róisín Shortall** asked the Tánaiste and Minister for Enterprise, Trade and Employment the order of priority of various types of creditors in relation to the proceeds of a company liquidation. [9446/10]

Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher): The order of preferential payments in the winding up of a company is set out at section 285 of the Companies Act 1963 as amended.

FÁS Training Programmes.

109. **Deputy Catherine Byrne** asked the Tánaiste and Minister for Enterprise, Trade and

[Deputy Catherine Byrne.]

Employment the position regarding FÁS courses offered to people in receipt of jobseekers payments and who are required to attend for interview with FÁS; the age profile of those embarking on such FÁS courses; and if she will make a statement on the matter. [9490/10]

Minister of State at the Department of Enterprise, Trade and Employment (Deputy Dara Calleary): FÁS, under the National Employment Action Plan (NEAP) preventative strategy, systematically engages with unemployed persons between the ages of 18 and 64 years who are referred by the Department of Social and Family Affairs to the Agency on reaching three months on the Live Register. Services offered include vocational guidance/counselling, information on job opportunities, assistance with CV preparation and interview techniques, access to employment programmes and skills training. Particular emphasis is placed on the identification of training needs and on the provision of tailored responses. All NEAP clients are accorded priority in accessing training provided by FÁS Training Services.

The table below sets out the age profile from January to November 2009 of those referred to and interviewed by FÁS under the NEAP. Statistics relating to the number placed into a FÁS training initiative and their age profile are being collated and will be passed to the Deputy as soon as they are available.

| Age Band | <25 | 25-34 | 35-44 | 45-54 | 55-64 | Longer Term Unemployed (12 months or more) in NEAP | Total |
|---------------------------|--------|--------|--------|-------|-------|--|--------|
| Number Interviewed by FÁS | 11,294 | 16,709 | 11,807 | 7,567 | 3,241 | 10,655 | 61,273 |

Departmental Agencies.

110. **Deputy Róisín Shortall** asked the Tánaiste and Minister for Enterprise, Trade and Employment the reason for her decision to prevent FÁS from facilitating term time arrangements for its employees; if she will review and reverse this decision. [9645/10]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): The question of term time arrangements, as provided for under the Department of Finance Circular 14/2009 on the Shorter Working Year Scheme, is a day-to-day staffing matter for FÁS under its functions as provided for in the Labour Services Act, 1987.

Tax Code.

111. **Deputy Bobby Aylward** asked the Minister for Finance if a proposed development of 19 houses in a rural village in County Kilkenny will be liable for 80% windfall tax as proposed in Budget 2010; and if he will make a statement on the matter. [9365/10]

Minister for Finance (Deputy Brian Lenihan): The windfall tax rate of 80% applies to the portion of a profit or gain made on the disposal of land which is attributable to a rezoning, where both the rezoning and the disposal giving rise to the windfall happen after 30 October 2009.

A “rezoning” for this purpose means a change from a non-development land use to a development land use, or a mixture of development land uses, or from one development land use to another development land use or to a mixture of such uses. “Development land uses” are residential, industrial and commercial; “non-development land uses” are agricultural, open space, recreational or amenity.

The 80% rate applies only to the portion of the profit or gain on the disposal of the land which is attributable to a rezoning. The balance of the gain is taxable at the normal capital gains tax rate, if the disposal is treated as a chargeable gain, or at the appropriate income tax or corporation tax rate, if the disposal is as part of a trade of dealing in or developing land.

The rationale for taxing this part of the profit or gain at a higher rate is because it is attributable to an administrative decision — that is, to rezone the land — rather than to anything done by the landowner.

It is not possible for me to comment on the liability to windfall tax with regard to a particular development, such as the one in County Kilkenny mentioned by the Deputy. Liability to the windfall tax will depend on whether the land in question was both rezoned and disposed of after 30 October 2009.

112. **Deputy Jack Wall** asked the Minister for Finance when mortgage interest relief will be implemented in respect of a person (details supplied) in County Kildare; if this person is entitled to arrears; and if he will make a statement on the matter. [9414/10]

Minister for Finance (Deputy Brian Lenihan): This is a matter in the first instance for the Revenue Commissioners who are responsible for the administration of mortgage interest relief through the tax relief at source (TRS) system. I am advised by the Revenue Commissioners that following direct contact with the person concerned, Revenue is satisfied that there is an entitlement to relief. Accordingly, arrangements have been made for payment of the relief through the TRS system and also for payment of arrears due.

Proposed Legislation.

113. **Deputy Michael McGrath** asked the Minister for Finance the position regarding the reform of the Financial Regulator and the Central Bank; when he plans to publish legislation regarding same; and if he will make a statement on the matter. [9421/10]

Minister for Finance (Deputy Brian Lenihan): I hope to bring a Bill to reform financial regulatory structures to Government shortly and, pending a Government Decision, to publish the legislation during the current session of Dáil Éireann.

Road Network.

114. **Deputy Ulick Burke** asked the Minister for Finance the person who has responsibility for the upkeep and maintenance of the bridge over the River Suck at River Street, Ballinasloe, County Galway; the legislation that gives responsibility to him for this bridge; and if he will make a statement on the matter. [9439/10]

Minister of State at the Department of Finance (Deputy Martin Mansergh): The bridge in question is a public road bridge, and as I understand, its upkeep and maintenance is the responsibility of Galway County Council.

International Agreements.

115. **Deputy Joan Burton** asked the Minister for Finance if he can confirm whether a loan of up to €2 billion is being granted to the International Monetary Fund from Central Bank of Ireland resources this year; the timeframe for the repayment of this loan; the impact this loan will have on the public finances in the immediate and longer term; the terms or conditions attached to this loan; if the IMF will extend resources arising from this loan to low-income countries or will the resources from the loan target middle and high-income countries only; if

[Deputy Joan Burton.]

new legislation is required for the granting of said loan and when such legislation is to be brought before Dáil Éireann; and if he will make a statement on the matter. [9487/10]

Minister for Finance (Deputy Brian Lenihan): The Deputy is referring to Ireland's participation in the International Monetary Fund's (IMF) New Arrangements to Borrow, (NAB). The NAB is essentially a set of credit arrangements between the IMF and member countries and institutions to provide supplementary resources to the IMF to forestall or cope with an impairment of the international monetary system or to deal with an exceptional situation that poses a threat to the stability of that system.

In January 2010, the Government decided, in principle, to approve Ireland's participation in the NAB and Ireland's provision to the NAB of a loan facility of approximately €2 bn, subject to agreement on terms and conditions. This followed on agreement by G20 Leaders in April 2009 to increase the resources available to the IMF by up to US\$500 bn, thereby tripling the total pre-crisis lending resources of the IMF to US\$750 bn, to support all IMF member countries with balance of payment (BOP) / financing needs, irrespective of income group. In September 2009, EU Heads of State agreed that the total EU contribution to this increase would be €125 bn. Ireland's share of this is approximately €2 bn.

Ireland's provision of the NAB loan facility will be met using Central Bank resources, as is the case with a number of other EU countries. If there is no drawdown of the facility, there will be no impact on the Exchequer. If there is a drawdown, the impact would only arise indirectly in terms of a potential reduction in the surplus income remitted to the Exchequer by the Central Bank — which at current interest rate levels is estimated at €15 million per annum, based on a drawdown of the full amount of €2 bn. If the drawdown is less, the indirect impact would be less.

The terms and conditions of the expanded NAB are still under negotiation between participating member countries and the IMF. While legislation will be required to implement the loan facility, this can only be done when the terms and conditions are finalised.

As set out in my reply to PQ 6962 /10, the implementation of the NAB loan facility is being preceded by the provision of a bilateral loan facility to the IMF of €1.3 bn and arrangements for bringing forward legislation to implement the bilateral loan facility at an early date are in hand.

State Banking Sector.

116. **Deputy Lucinda Creighton** asked the Minister for Finance when the Director of Corporate Enforcement will publish his report into the ongoing investigation into Anglo Irish Bank. [9497/10]

Minister for Finance (Deputy Brian Lenihan): The Director of Corporate Enforcement is independent in carrying out his functions under the Company Law Enforcement Act 2001. His statutory remit is limited to the Companies Acts. The Director has stated that the Garda Bureau of Fraud Investigation and ODCE investigations into the affairs of Anglo Irish Bank are proceeding satisfactorily. Both are cooperating closely. I understand that the purpose of the investigations is to discover whether wrongdoing occurred in the Bank and, if so, the circumstances of any such wrongdoing.

The Director of Corporate Enforcement has stated recently that it is not possible to put a timescale on the completion of his Office's investigations at this stage. Several months' work lies ahead.

Following the completion of their respective investigations, the ODCE/Garda may furnish a report to the Director of Public Prosecutions, who can then decide if any prosecutions are warranted. Other than by way of Court proceedings, there is no legal means by which the detailed results of the ODCE/Garda investigations will be made known.

I understand that within the ODCE, some 16 full-time equivalent staff (or one-third of available personnel) are now supporting the investigations. These staff include gardaí and staff with accounting, administrative, IT and legal expertise.

Financial Services Regulation.

117. **Deputy Lucinda Creighton** asked the Minister for Finance if he will provide the names of the heads of investigations being carried out by the Financial Regulator and when such reports will be forthcoming. [9498/10]

Minister for Finance (Deputy Brian Lenihan): I understand that the Deputy is referring to investigations into Anglo Irish Bank currently being carried out by staff of Irish Financial Services Regulatory Authority reporting to its Chief Executive, Mr. Matthew Elderfield. In accordance with the Central Bank Act 1942 (as amended) and the Statute of the European System of Central Banks, the Central Bank and Financial Services Regulatory Authority is an independent statutory body and I am not in a position to provide the information sought.

118. **Deputy Lucinda Creighton** asked the Minister for Finance the investigations being carried out into the dealings of Anglo Irish Bank by any agent or agency of the State and when such investigations will be completed and such reports delivered. [9499/10]

Minister for Finance (Deputy Brian Lenihan): As the Deputy will be aware, a number of regulatory bodies are carrying out investigations of behaviour at Anglo Irish Bank. These include the Office of the Director of Corporate Enforcement, the Garda Fraud Office and the Financial Regulator and the Irish Auditing and Accounting Supervisory Authority (IAASA). Whilst all enquiries are at an advanced stage and are being progressed as a matter of priority, the matters under investigation are detailed and complex and it is not possible at this time to specify when the investigations will be concluded. I am of course anxious that the investigations are completed as swiftly as possible.

Departmental Staff.

119. **Deputy Róisín Shortall** asked the Minister for Finance the steps he has taken to resolve the work to rule by staff in the Department of Social and Family Affairs. [8910/10]

Minister for Finance (Deputy Brian Lenihan): The current work to rule in the Department of Social and Family Affairs is part of a co-ordinated programme of industrial action undertaken by public service unions across the public sector. The industrial action is in response to the pay reductions imposed by the Government on public servants with effect from 1 January last as part of the Government's budgetary strategy to bring the public finances under control.

In order to address issues raised by the programme of industrial action in the public sector, my Department has established a co-ordination group of all public service sectors affected to monitor and review service delivery and other issues arising from the industrial action. The Department of Social and Family Affairs is represented in that group. I believe that any form of industrial action is regrettable. In that regard, the Government has indicated its wish to engage with the public service unions with a view to achieving the necessary transformation to the public service into the future.

Public Sector Pay.

120. **Deputy Finian McGrath** asked the Minister for Finance if he will support a matter (details supplied). [9671/10]

Minister for Finance (Deputy Brian Lenihan): I refer to my reply to Questions Nos. 176 and 182 answered on 23 February 2010.

Section 6 of the Financial Emergency Measures in the Public Interest (No. 2) Act 2009 provides that, in certain limited circumstances, the Minister for Finance may by direction exempt or vary the application of the pay reductions provided for in the Act to public servants or groups of public servants.

Representations from a number of Deputies have been made in relation to the application of the pay reductions to contract researchers. The Financial Emergency Measures in the Public Interest (No. 2) Act, 2009 makes provision for the reduction in the pay rates of all persons employed by public service bodies with effect from 1 January 2010. As universities come within the definition in the Act of public service bodies, contract researchers employed by such universities are subject to the pay reductions provided for under the legislation. I have no proposals to exempt persons in that position from the pay reductions.

Medical Cards.

121. **Deputy Martin Ferris** asked the Minister for Health and Children when a medical card will be made awarded to a person (details supplied) in County Kerry. [9388/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Inter-Country Adoptions.

122. **Deputy Richard Bruton** asked the Minister for Health and Children if independent adoptions in Mexico will be recognised in Irish adoption law in view of the fact that they are under the Hague Convention, and if she will provide reassurance to Irish adoptive parents who are in this position. [9419/10]

139. **Deputy Catherine Byrne** asked the Minister for Health and Children if the Adoption Bill 2009 will take into account the case of inter-country adoptions with Mexico; if such adoptions by Irish couples will be permitted into the future; if she will assure couples currently in the process of adopting a child from Mexico that these adoptions will be allowed to be completed; and if she will make a statement on the matter. [9489/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): I propose to take Questions Nos. 122 and 139 together.

The Adoption Bill, 2009, is designed to give force of law to the Hague Convention on the Protection of Children and Co-operation in Respect of Inter-country Adoption. The new legislation, which incorporates the provisions of the Hague Convention, is designed to provide a framework to ensure that appropriate procedures have been followed and that all adoptions are effected in the best interests of the child. Future inter-country adoption arrangements will be governed by the terms of the Adoption Bill 2009 when enacted.

With regard to 'independent' adoptions, Part 13 of the Adoption Bill outlines the restrictions on a person in seeking to make arrangements for adoptions. It also identifies the particular role of accredited authorities in this regard.

Medical Aids and Appliances.

123. **Deputy Alan Shatter** asked the Minister for Health and Children if she will supply an insulin pump to a person (details supplied) in Dublin 16. [9364/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

Hospital Services.

124. **Deputy Pat Breen** asked the Minister for Health and Children the progress made to date in implementing the recommendations of the Health Information and Quality Authority report for Ennis General Hospital. [9371/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

Medical Cards.

125. **Deputy Martin Ferris** asked the Minister for Health and Children when an application for a medical card will be processed in respect of a person (details supplied). [9389/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Health Services.

126. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children the steps she has taken to combat increasing difficulties health workers are faced with in reaching sex workers. [9396/10]

Minister for Health and Children (Deputy Mary Harney): As the Deputy's question relates to a service matter it has been referred to the HSE for direct reply.

Medical Aids and Appliances.

127. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children if she supports any service here which distributes sterile injecting equipment, paraphernalia, condoms and other items to sex workers; and if she will make a statement on the matter. [9397/10]

Minister for Health and Children (Deputy Mary Harney): As the Deputy's question relates to a service matter it has been referred to the HSE for direct reply.

Health Services.

128. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children her views on the recent National Advisory Committee on Drugs report which recommended the provision of adequate funding of drug specialist outreach services that target existing and developing street markets and peer networks of drug users and sex workers rather than individuals; and if she will make a statement on the matter. [9398/10]

Minister for Health and Children (Deputy Mary Harney): As the Deputy's question relates to a service matter it has been referred to the HSE for direct reply.

129. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children if her Department provides counselling services to people involved in or affected by the sex industry; the

[Deputy Aengus Ó Snodaigh.]

number of counsellors available for such counselling sessions; and if she will make a statement on the matter. [9399/10]

Minister for Health and Children (Deputy Mary Harney): As the Deputy's question relates to a service matter it has been referred to the HSE for direct reply.

130. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children if she has developed a strategy on drug addiction treatment services for people involved in or affected by the sex industry; the details of such strategy; and if she will make a statement on the matter. [9400/10]

Minister for Health and Children (Deputy Mary Harney): As the Deputy's question relates to a service matter it has been referred to the HSE for direct reply.

131. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children if she has developed a strategy on health care provision for people involved in or affected by the sex industry; the details of such strategy; and if she will make a statement on the matter. [9401/10]

Minister for Health and Children (Deputy Mary Harney): As the Deputy's question relates to a service matter it has been referred to the HSE for direct reply.

132. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children the details of services provided by her Department to people involved in or affected by the sex industry. [9402/10]

Minister for Health and Children (Deputy Mary Harney): As the Deputy's question relates to a service matter it has been referred to the HSE for direct reply.

133. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children the organisations her Department funds which provide projects or services to people involved with or affected by the sex industry; the amount of funding provided to each of these organisations; and if she will make a statement on the matter. [9403/10]

Minister for Health and Children (Deputy Mary Harney): As the Deputy's question relates to a service matter it has been referred to the HSE for direct reply.

134. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children the details of any research her Department has conducted, or funded for another organisation to conduct, on issues connected to people involved in or affected by the sex industry; and if she will make a statement on the matter. [9405/10]

Minister for Health and Children (Deputy Mary Harney): As the Deputy's question relates to a service matter it has been referred to the HSE for direct reply.

135. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children the medical entitlements of asylum seekers in direct provision; and if they are subject to restrictions in relation to which general practitioner they are allowed to visit. [9407/10]

Minister for Health and Children (Deputy Mary Harney): As the Deputy's question relates to a service matter it has been referred to the HSE for direct reply.

Mental Health Services.

136. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children the steps that she has taken to address the mental health crisis among asylum seekers. [9409/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): As this is a service matter the question has been referred to the HSE for direct reply.

Medical Cards.

137. **Deputy Michael Ring** asked the Minister for Health and Children the reason a person (details supplied) in County Mayo has had no response from the Health Service Executive in relation to their application for a medical card in view of the fact that they submitted their application in August 2009; when this application will be processed; and if she will make a statement on the matter. [9425/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

National Drugs Strategy.

138. **Deputy Pat Breen** asked the Minister for Health and Children if she will order an immediate inventory into the products sold in head shops; if she will check whether these products comply with existing legislation; and if she will make a statement on the matter. [9431/10]

Minister for Health and Children (Deputy Mary Harney): The Misuse of Drugs Act 1977 and its associated regulations control the import, export, production, supply and possession of a range of named narcotic drugs and psychotropic substances listed in the Schedules to the Act. Substances are scheduled under the Act in accordance with Ireland's obligations under international conventions and/or where there is evidence that the substances are causing significant harm to public health in Ireland. The list of scheduled substances is kept under ongoing review. For example, in 2006 psychotropic ('magic') mushrooms were banned and their possession and sale is now illegal. On 31 March 2009, BZP was similarly subjected to legislative control measures and criminal sanctions.

I am aware of the products being sold as "legal highs" in so-called "head shops" and that these products are not controlled under Misuse of Drugs legislation. In the light of the health risks associated with some of the products being sold in so-called 'head shops', I intend to have the regulations drafted this month which will introduce controls, similar to those introduced recently in the UK, on a range of substances which are currently on sale in head shops. In accordance with EU law, it may also be necessary to notify the Commission of the proposed regulations in case they impact on legitimate industrial activities and this imposes a 3 month stand still period on implementation of the regulations. These regulations will make the possession and sale of these substances illegal and subject to criminal sanctions. Some of the substances in question have legitimate uses — for example, in the production of plastics and industrial solvents. It will be necessary to assess the level of use of these substances by industry in Ireland and the implications for industry of placing these substances under the ambit of Misuse of Drugs legislation.

Minister of State John Curran, who has responsibility for co-ordinating the National Drugs Strategy, has identified head shops as an area of concern, and is currently considering the options available to more effectively control the activities of head shops. A Research Advisory Group (RAG) has been established to identify possible options for the regulation of head

[Deputy Mary Harney.]

shops. The RAG held its first meeting on 13 January 2010. It has representatives from the National Advisory Committee on Drugs, the Departments of Community, Rural and Gaeltacht Affairs, Justice, Equality and Law Reform, Health and Children, the Health Research Board, Revenue Custom's Service, the Forensic State Laboratory and other relevant stakeholders. The RAG will report incrementally until its work is complete.

Question No. 139 answered with Question No. 122.

Health Services.

140. **Deputy Billy Timmins** asked the Minister for Health and Children the position regarding a matter (details supplied) in County Wicklow; and if she will make a statement on the matter. [9628/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Departmental Reports.

141. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children further to Parliamentary Question No. 358 of 16 September 2009, the position regarding same. [9633/10]

Minister for Health and Children (Deputy Mary Harney): The implementation of the National Review of Sexual Assault Treatment Services is ongoing but essentially complete. Currently there are 6 Sexual Assault Treatment Units (SATUs) located around the country — all of which strive to provide a 24 hour a day service, 7 days a week. The units are located at The Rotunda Hospital (Dublin), South Infirmity Victoria University Hospital (Cork), Waterford Regional Hospital, Midlands Hospital (Mullingar), Galway and Letterkenny. Due to infrastructural constraints, which have on occasion limited their ability to offer a 24/7 service, alternative ring-fenced accommodations have been sourced for the units in Mullingar and Letterkenny to place them in a better position to provide care around the clock.

On 20th April 2009, I presented certificates to the first group of clinical nurse/midwife specialists who completed the academic component of the Higher Diploma in Nursing — Sexual Assault Forensic Nursing Examination in the Royal College of Surgeons Ireland. This course equips participant with the knowledge, skills and competence to carry out forensic clinical examinations in a systematic objective manner, whilst caring for the victim, and recognising their physiological and psychological trauma. The nurses are now working in their sponsoring SATU areas providing holistic care to the victims of sexual assault. As well as undertaking clinical and forensic examination of men and women who are engaging with the criminal justice system, these nurses also provide care for people who choose not to report an incident to An Garda Síochána. Care for such people is internationally recognised to be beneficial in order to reduce the immediate and long-term effects of assault but the limited SATU services in Ireland had been unable to offer such support prior to 2009. Plans are underway to run another education programme in September 2010 to increase the number of nurses available to provide holistic care and undertake clinical forensic examination of victims of sexual assault. The training and appointment of these nurses/midwives has had an immensely positive impact on provision of SATU services around the country.

In relation to data collection, final national figures for 2009 for attendance at SATUs are expected to be available over the next month from all 6 centres.

A revision of the 2006 *Rape/Sexual Assault — National Guidelines on Referral and Forensic Clinical Examination* is currently underway, as mandated in the National Review. The revised interagency guidelines will be available by mid 2010 and will be distributed to all relevant stakeholders. These revised guidelines will mirror the developments and improvements that have taken place in this sector in the intervening years, such as the provision of services for non-reporting clients and the inclusion of preventative care, for example in relation to sexually transmitted infections, in the treatment available to clients.

Finally, the Criminal Justice (Forensic Evidence and DNA Database System) Bill 2010 was published on 19th January 2010. It has two main purposes: to update our laws on the taking of samples from suspects for use in evidence, and to provide for the establishment of a DNA Database System for use by the Garda Síochána as an intelligence source for criminal investigations and also to assist in finding missing persons and identifying unknown persons including human remains. The Bill is awaiting Second Stage in the Dáil.

It provides that most persons detained in connection with a serious offence (generally an offence punishable by imprisonment of 5 years or more) will be required to provide a sample for the purposes of the DNA Database System. It also provides that:

- offenders subject to a sentence of imprisonment at the time of commencement for a serious offence (irrespective of whether the offender is in prison or on temporary release), and
- all offenders subject to the notification requirement in the Sex Offenders Act 2001 at the time of commencement will be required to provide a sample for the DNA Database. DNA profiles relating to offenders will be retained on the Database indefinitely.

Child Care Services.

142. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children further to Parliamentary Question No 250 of 20 October 2009, when a reply will issue from the Health Service Executive. [9634/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): My Office is advised by the HSE that a reply to Parliamentary Question No. 250 of 20th of October 2009 is issuing to the Deputy on 24th February 2010.

Hospital Procedures.

143. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children further to Parliamentary Question No. 121 of 26 November 2009, when a reply will issue from the Health Service Executive. [9635/10]

Minister for Health and Children (Deputy Mary Harney): It is my understanding that a reply will issue to the Deputy by the end of this week. I apologise on behalf of the HSE for the delay in replying.

Hospital Records.

144. **Deputy Fergus O'Dowd** asked the Minister for Health and Children if persons who have had symphysiotomies in a hospital (details supplied) in County Louth are entitled to receive their medical records on request; and if she will make a statement on the matter. [9636/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

Homeless Persons.

145. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice, Equality and Law Reform the number of homeless asylum seekers; the services available to them; and if he will make a statement on the matter. [9408/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): There are no asylum seekers who are involuntarily homeless. The Reception and Integration Agency (RIA) of my Department is the body responsible for providing accommodation to asylum seekers while their application is being processed. As of 14/02/2010, the RIA oversees an accommodation portfolio of 54 accommodation centres across 21 counties and accommodates just over 6380 persons.

All asylum seekers, who are otherwise destitute, are entitled to avail of the accommodation services provided by RIA.

Deportation Orders.

146. **Deputy Alan Shatter** asked the Minister for Justice, Equality and Law Reform the procedures that are in place to effect the removal of a parent and their children from the jurisdiction in situations where the children are in the care of the Health Service Executive and the parent is the subject of a Deportation Order and in cases where children have been removed from the jurisdiction in such circumstances; and the number of children that have spent some time in care apart from their parents prior to deportation in each of the past ten years. [9358/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): In arriving at repatriation related decisions, all reasonable steps are taken to have families kept together so that they are all repatriated at the same time, thus preserving the family unit. I would see no reason to depart from such a policy. In situations where a parent and children are not cooperating with the deportation process, or the parent is being detained whilst awaiting removal, children older than infants are placed in the temporary care of the HSE to enable the repatriation of the family together. My Department does not maintain records of the numbers of children cared for by the HSE in such situations.

Proposed Legislation.

147. **Deputy Chris Andrews** asked the Minister for Justice, Equality and Law Reform the position regarding the National Property Services Regulatory Authority Bill; when the Bill is expected to come before the Houses of the Oireachtas; the reason for the delay; and if he will make a statement on the matter. [9366/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The Property Services (Regulation) Bill 2009 has completed Second Stage in the Seanad. Amendments to the Bill are currently being drafted to respond to issues raised during Second Stage discussions and in submissions subsequently received by my Department from relevant stakeholders and I expect that Committee Stage will be taken in the coming weeks.

Extremist Groups.

148. **Deputy Finian McGrath** asked the Minister for Justice, Equality and Law Reform if

Ireland is now becoming a base or recruiting ground for right-wing extremist groups following recent events in Venezuela and Dubai. [9394/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): It is not clear precisely what the Deputy's question refers to. I am not aware of any recent incident connected with Venezuela which has any connection with this country. With regard to the incident in Dubai I assume that the Deputy is referring to the apparent use of forged Irish passports by a number of people suspected of involvement in the death of a Hamas official there. The apparent use of forged Irish passports is a very serious matter and my colleague the Minister for Foreign Affairs has condemned this abuse of Irish passports. The Gardaí are also inquiring into the matter.

I have no information at my disposal to support the contention that Ireland is a base or recruiting ground for right-wing extremist groups.

Illegal Sex Industry.

149. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the organisations his Department funds which provide projects or services to people involved with or affected by the sex industry; the amount of funding provided to each of these organisations; and if he will make a statement on the matter. [9404/10]

150. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the details of any research his Department has conducted, or funded for another organisation to conduct, on issues connected to people involved in or affected by the sex industry; and if he will make a statement on the matter. [9406/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I propose to take Questions Nos. 149 and 150 together.

In 2009 the Commission for the Support of Victims of Crime, an independent body operating under the aegis of my Department, provided funding of €62,000 to Ruhama to enable them to provide assistance to persons trafficked for sexual purposes. A similar level of funding will be provided in 2010. The Commission has agreed to provide funding of €10,000 in 2010 to Sexual Violence Cork for the same purpose.

The Anti-Human Trafficking Unit of my Department has implemented a data collection strategy since early 2009 in conjunction with Government and non-Governmental organisations. Data are being collected and analysed by the Unit for the purposes of informing policy development, improving victim support services and guiding counter-trafficking measures. The Garda National Immigration Bureau also maintains data.

The National Action Plan to Prevent and Combat Trafficking, which I published in May 2009, includes a series of actions to improve our understanding of the nature and scale of the problem by developing a comprehensive data and research strategy. The principal aim of all such research is to provide policy makers and State organisations working in the area of human trafficking with the tools to discharge their functions more effectively.

Emigrant Support Services.

151. **Deputy Seán Sherlock** asked the Minister for Foreign Affairs if he will engage in discussions on the plight of Irish immigrants of long-standing residency in the United States; and if he will make a statement on the matter. [9434/10]

Minister for Foreign Affairs (Deputy Micheál Martin): Supporting Irish communities abroad is a priority for this Government. Since 2004 my Department has allocated almost €70 million to Irish community organisations throughout the world through the Emigrant Support Programme. A significant portion of this funding, including some €5 million in 2009, was used to support our emigrant community in the United States.

Funding is prioritised to promote the welfare of the most vulnerable sections of Irish communities abroad, including the elderly and our undocumented citizens in the United States.

Last year, a total of \$2.73 million was provided under the Emigrant Support Programme to organisations directly involved in the provision of support to elderly and other vulnerable Irish emigrants in the US. This included a grant of \$25,000 for the New York Senior Helpline Project which is a collaborative initiative of the Aisling Irish Centre, the Emerald Isle Immigration Centre and the New York Irish Centre, and aims to address the social isolation experienced by many elderly Irish emigrants in the US.

In addition, significant capital grants have been given over recent years to support the development of infrastructural community facilities in San Francisco, Chicago and New York.

Last year's funding also included grants to the Irish Lobby for Immigration Reform (ILIR) and the Chicago Celts for Immigration Reform. Finding a solution for our undocumented citizens in the United States continues to be an important priority for this Government.

The issue has featured in a significant way in my recent contacts with the US Administration and members of Congress, including during my meeting with Secretary of State Clinton in Dublin last October, and during my visit to Washington and New York on 14-17 October when I held extensive discussions on the prospect for progress on immigration reform with a significant number of key Democrats and Republicans in Congress. I also discuss the matter on a regular basis with Ambassador Rooney.

There remains considerable support among key political figures in the United States for efforts to find a solution for the Irish undocumented and for a new reciprocal two year renewable visa scheme, known as the E3 visa. However, it has been made clear to us that the undocumented can only be provided for through comprehensive immigration reform.

Supporters of reform had hoped that a comprehensive bill, which would address the concerns of the undocumented, would be introduced and make progress in Congress early this year. However, the outcome of the recent senate election in Massachusetts, the ongoing effort to pass health care legislation and the forthcoming mid-term elections, could combine to complicate the political prospects for the early passage of immigration reform.

Our Embassy in Washington continues to maintain very close contact with the Administration and key contacts in Congress to ensure that Irish interests are considered as part of the ongoing debate over immigration reform. The issue will also be raised by the Taoiseach and I during our St Patrick's Day visit to the United States.

Counterfeit Passports.

152. **Deputy Finian McGrath** asked the Minister for Foreign Affairs if he will call in the Israeli ambassador following the assassination of a Hamas leader. [9393/10]

Minister for Foreign Affairs (Deputy Micheál Martin): I would refer the Deputy to my reply to Question No. 318 on 23 February in relation to this issue, which was as follows: "Police investigations into the assassination in Dubai of Mr. Mahmoud al-Mabhouh on 20 January are continuing. The identities of those involved in the assassination, and the organization or group responsible, remain to be established.

I met with the Israeli Foreign Minister, Mr. Avigdor Lieberman in Brussels yesterday and made clear my serious concerns at the fraudulent use of Irish passports by those suspected of carrying out this assassination. I asked that the Israeli authorities provide whatever assistance they could in this matter. Minister Lieberman said that he had no information on the events in Dubai.

Similar points were made when officials of my Department met the Israeli Ambassador in Iveagh House on 18 February.

The Government has made clear to the Israeli authorities that, regardless of who was responsible, we take grave exception to the forgery and misuse of Irish passports. Such action could serve to devalue the standing of the passports and potentially put at risk the safety of Irish citizens traveling abroad.”

Nuclear Disarmament Initiative.

153. **Deputy Aengus Ó Snodaigh** asked the Minister for Foreign Affairs the additional sanctions that are being considered by the European Union against Iran; and the existing sanctions and the effect same has been or will be on Ireland and Irish relations with Iran in the future. [9410/10]

Minister for Foreign Affairs (Deputy Micheál Martin): I would refer the Deputy to my reply to Question No 315 from him on 23 February in relation to the background to this issue. Further to that reply, I would add the following:

Existing sanctions on Iran are based on UN Security Council Resolutions 1737 (2006), 1747 (2007) and 1803 (2008), which have been translated into EU measures under various Council Regulations and Common Positions. In some instances the EU measures have been extended to include additional names of persons or entities to whom they should apply, based on the availability of additional information, but essentially the scope of the measures are the same.

The sanctions are targeted at the Iranian nuclear and ballistic missile sectors, and at the wider military sector and the entities, such as banks and transport agencies, which have supported these programmes in Iran. The measures are in the form of visa bans, asset freezes and transaction bans on individuals and entities. A general prohibition on arms trade with Iran is also in effect.

As Iran has failed to respond seriously to the demands of the Security Council or the efforts led by the EU to negotiate with it on these issues, a further round of discussions has commenced at the Security Council as to what further pressure might be put on Iran. No proposals for specific measures have yet been tabled. The EU will in due course have to consider, in the light of or in the absence of Security Council action, what further steps it might take itself. There are no specific proposals yet, but in any case it is not generally desirable to discuss the details of possible measures in advance, as this may only lessen their effect. It must be recalled that the only purpose of these sanctions is to press Iran into responding to efforts to reach a diplomatic solution.

The direct effect of these measures on Ireland, or Irish trade with Iran, is minimal. I look forward of course to the day when we can concentrate on trying to improve and expand relations with Iran. The initiative rests very much with Iran in that regard.

International Trade.

154. **Deputy Aengus Ó Snodaigh** asked the Minister for Foreign Affairs the steps he is taking to ensure that US sanctions against Cuba are not preventing full and open trade between the EU and the USA; and if he will make a statement on the matter. [9411/10]

Minister for Foreign Affairs (Deputy Micheál Martin): The US embargo on Cuba was imposed in 1962. Last year, President Obama initiated a review of policy towards Cuba. This review led to the reversal of certain sanctions including the lifting of restrictions on remittances and family travel to Cuba; the resumption of direct postal service between the two countries and the revival of biannual discussions on migration. Indeed, on 12 February 2010, representatives from the US and Cuba met in Havana to discuss the implementation of the US-Cuba Migration Accords.

The European Union has a long-standing position on the US embargo against Cuba which was most recently expressed in an EU Presidency statement on 28 October 2009 during a UN General Assembly debate on the issue. In its statement, the EU accepted that the United States' trade policy towards Cuba was fundamentally a bilateral issue. However, it re-stated its opposition to the embargo as a matter of principle and rejected all unilateral measures directed against Cuba that are contrary to commonly accepted rules of international trade.

The EU and US form the world's largest bilateral trade partnership with combined trade in excess of €400 billion in 2008. The main forum for EU-US economic dialogue is the Transatlantic Economic Council (TEC), which was established in 2007. The TEC oversees government-to-government cooperation on economic and trade issues and has, in the short period that it has been in existence, helped to advance economic integration between the EU and the US. The level of bilateral trade and the established structures for economic dialogue clearly demonstrate that the difference of approach to Cuba has not significantly affected bilateral trade relations between the EU and the US.

155. **Deputy Finian McGrath** asked the Minister for Foreign Affairs if he will support a matter (details supplied). [9416/10]

Minister for Foreign Affairs (Deputy Micheál Martin): I refer the Deputy to my reply to PQ 314 of yesterday, 23 February, copied below.

“There has been a United States embargo on Cuba since 1962. Among the measures applied on foot of this embargo is a ban on the transfer of funds to Cuba involving United States financial institutions. The EU has a long-standing position on the US embargo, most recently expressed in the EU Presidency statement on 28 October 2009 during the debate in the General Assembly on the resolution on the “Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba”. In this statement, the EU said that while it believed that the United States' trade policy towards Cuba is fundamentally a bilateral issue, American legislation such as the Cuban Democracy Act of 1992 and the Helms-Burton Act of 1996 had extended the effects of the US' embargo to third-party countries. As a matter of principle the European Union firmly and continuously opposes such extraterritorial measures and rejects all unilateral measures directed against Cuba that are contrary to commonly accepted rules of international trade.

In relation to the question of transfer of funds in support of Cuban medical teams, I understand that Irish groups involved in coordinating the collection of donations have made alternative arrangements for their transfer. Finally, I commend the swift and effective response by Cuba to the devastating earthquake in neighbouring Haiti”.

Departmental Functions.

156. **Deputy Lucinda Creighton** asked the Minister for Foreign Affairs when a review of management structures, governance and decision making frameworks was last carried out. [9500/10]

Minister for Foreign Affairs (Deputy Micheál Martin): Management structures, governance and decision making frameworks in my Department are subject to constant review in the light of the regularly changing and evolving responsibilities and priorities. In September 2009 a special Unit with responsibility for Strategy and Performance issues was established under the direction of an Assistant Secretary. Among the tasks assigned to this Unit is a rolling review of the Department's structures, systems and functions, a task of particular importance in the current period of constraint on resources.

Departmental Staff.

157. **Deputy Lucinda Creighton** asked the Minister for Foreign Affairs if there are clear derogations of responsibility between staff grades across his Department, in Iveagh House and other relevant offices; and if he will make a statement on the matter. [9501/10]

Minister for Foreign Affairs (Deputy Micheál Martin): Under the powers vested in Secretaries General under section 4(1) of the Public Services Management Act, 1997, the Secretary General of the Department of Foreign Affairs has the authority to carry out certain duties and management functions, including preparing an outline of how specific elements of Departmental responsibilities are to be assigned so as to ensure that the functions performed on my behalf are carried out by an appropriate officer or by an officer of an appropriate grade or rank. The Secretary General assigns responsibilities to individual heads of Divisions at Headquarters in my Department. Heads of Division assign responsibilities to officers within their Divisions according to business needs and with regard to the general duties appropriate to each grade. Responsibilities are re-assigned regularly in line with the rotation of officials.

Under the Public Service Management Act, I am obliged personally to approve, with or without amendments, Statements of Strategy prepared and submitted by the Secretary General of my Department. These Statements set out the key objectives of the Department and related outputs and strategies and the assignment of responsibilities is based on the contents of these Statements. I am satisfied that the service provided by my Department continues to be in line with the commitments in the Department's Strategy Statements and Business Plan. The Civil Service Performance Management and Development System (PMDS), which operates in all Government Departments, ensures that individual staff are aware of their roles and responsibilities and of how their roles fit in with the wider goals of the Department and with its Business Plan.

158. **Deputy Lucinda Creighton** asked the Minister for Foreign Affairs when his Department was last benchmarked for staff efficiency and effectiveness. [9502/10]

Minister for Foreign Affairs (Deputy Micheál Martin): My Department was part of the wider Public Service benchmarking exercise, details of which may be found in the 2002 and 2007 reports of the Public Service Benchmarking Body (available at www.benchmarking.gov.ie). The exercise involved the detailed examination of the job size, pay, benefits and superannuation of public servants compared with jobs in the private sector. There was no further specific benchmarking of my Department.

It is envisaged that an Organisational Review of my Department will be undertaken during the coming year. The Organisational Review Programme (ORP), which was approved by Government in March 2007, is part of the latest phase of public service modernisation led by the Department of the Taoiseach. The ORP is focused on individual organisations and it complements the wider, system-level OECD review of the public service as published in the report *Ireland: Towards an Integrated Public Service*.

[Deputy Micheál Martin.]

I am satisfied that the service provided by my Department continues to be in line with the commitments in the Department's Strategy Statements and Business Plan. My Department's Annual Reports detail the progress we have made in achieving our goals each year and these may be downloaded from the Department's website, www.dfa.ie. The Civil Service Performance Management and Development System (PMDS), which operates in all Government Departments, ensures that individual staff are aware of their roles and responsibilities and of how their roles fit in with the wider goals of the Department and with its Business Plan.

Diplomatic Representation.

159. **Deputy Lucinda Creighton** asked the Minister for Foreign Affairs the last time he reviewed the embassy network with a view to decreasing the footprint in non-strategic countries, for example, Nigeria, Saudi Arabia and so on and covering some regions with one or two embassies, for example, nordics, central and eastern Europe, Greece, Cyprus, Malta and so on. [9503/10]

Minister for Foreign Affairs (Deputy Micheál Martin): The size and scale of our diplomatic network is considered by the Government on an ongoing basis. Any decision to open a new Mission overseas is undertaken having regard to clear national priorities and available resources, and must be on the basis of an anticipated and ongoing significant return for the State. Decisions regarding Embassy closures must take full account of the operational and reputational costs as well as any potential financial savings. An internal review of our Mission network was undertaken in 2009 and this matter will be revisited on a regular basis.

Given the current budgetary situation, and recognising the role that our diplomatic network can play in Ireland's economic recovery, adjustments to our diplomatic network continue to be strategically focused. For example, the United Arab Emirates was identified as a country where increased diplomatic representation would offer significant potential economic value to Ireland, and accordingly, the Government decided to establish an Embassy in Abu Dhabi last year. Similarly, the decision to close the Consulate General in Cardiff was taken last year to enable a redeployment of limited resources to maximise potential returns to the State. In more distant locations this practice is already in place, with for example our Embassy in Buenos Aires also having responsibility for Bolivia, Chile, Paraguay and Uruguay, and our Embassy in Moscow also having responsibility for Kazakhstan, Uzbekistan, Tajikistan, Kyrgyzstan, Turkmenistan.

Further, in light of the current budgetary constraints, and the need to optimise available resources, I have decided, on a trial basis, to make structural changes with regard to some of our embassies in the European Union and to put in place in a number of capitals a lighter model of representation. Such missions will be staffed by a single Irish diplomat with appropriate local support and back-up from Dublin and other missions in the region. They will be explicitly tasked to prioritise our work on EU affairs and the promotion of our economic interests. There are particular challenges in implementing such a model. Irish embassies are already relatively small in comparison to many other countries and it remains to be seen if a one-person mission is entirely feasible. The performance of these lighter missions will be closely monitored in that regard to see if the desired outcomes can be achieved. I can assure the Deputy that my objective, to the greatest extent possible and within the limits of available resources, is to maintain the capability of Ireland's diplomatic network overseas in order to promote our key objectives abroad, particularly support for our economic recovery.

Departmental Functions.

160. **Deputy Lucinda Creighton** asked the Minister for Foreign Affairs the extent to which

his Department examined opportunities to outsource or co-source back office functions like finance, procurement and human resources with other Departments. [9504/10]

Minister for Foreign Affairs (Deputy Micheál Martin): The back office functions the Deputy refers to are ones that fall within the scope of the Government's programme of Transforming Public Services. This programme is being directed by a cabinet sub-Committee and jointly coordinated by the Department of Finance and the Department of the Taoiseach. Amongst the issues to be addressed in 2010 is the provision of shared services across the civil service in relation to financial management and human resources. As part of this process, the question of jointly outsourcing the services will be considered. On procurement, my Department works closely with the National Public Procurement Operations Unit (NPPOU) both in terms of using its electronic tendering system but also in availing of aggregated contracts procured by the NPPOU for the civil service as a whole, thereby taking advantage of combined purchasing power and reduced administrative overhead.

Departmental Expenditure.

161. **Deputy Lucinda Creighton** asked the Minister for Foreign Affairs the percentage expenditure allocated to the Department that has been freed up through the implementation of efficiency measures such as improved information and communications technology systems, over the past ten years. [9505/10]

Minister for Foreign Affairs (Deputy Micheál Martin): My Department implements efficiency measures on an on-going basis to enable the Department operate more effectively, to improve the delivery of services to the public and to achieve better value for money from the Department's administrative budget. These improvements take place against a background of shifting demand. For example, the number of passports issued in 2008 (577,000) represented an increase of 49% on the number issued in 2000 (388,000). At the same time, improvements in the quality of the service means that citizens can now monitor the progress of their passport application on-line and can receive their passport within a predictable and short time-frame. Likewise, the number of consular cases dealt with by my Department continues to rise. In 2009 my Department dealt with more than 1,350 serious consular emergencies, including deaths, arrests, kidnaps, accidents and hospitalisations. The corresponding figure for 2008 was significantly less, standing at 1,200.

Given the nature of my Department, and the global distribution of our diplomatic missions, an effective and efficient communications system is of vital importance. With this in mind my Department has rolled out a global data network linking together the Department's headquarters and all our missions. This enables the use of videoconferencing systems that improve the efficiency and quality of our communication within the Department and cuts down on travel costs and the associated loss of time. The same network is also used to route telephone calls between missions, thereby reducing expenditure on international telecommunications.

All of these improvements and enhancements have been carried out against a background where the administrative budget for Vote 28 (which covers all the Department's activities except Irish Aid) in 2010 is virtually unchanged from that of 2004, and where the corresponding staff numbers have increased by less than 9% since 2000. In the current budgetary climate, I can assure the Deputy that my Department continues to examine opportunities for enhanced efficiencies in its operations wherever possible.

162. **Deputy Lucinda Creighton** asked the Minister for Foreign Affairs the average cost of accommodation and hotels per head for civil servants working in his Department. [9507/10]

Minister for Foreign Affairs (Deputy Micheál Martin): It is not possible, in the time allocated and within the constraints imposed by the accounting system, to calculate the average cost of accommodation per civil servant. However, as the Deputy will appreciate, officers at my Department, by the nature of its responsibilities, are obliged to undertake a significant amount of official travel overseas.

In relation to accommodation costs, my Department's guidelines direct that officers should stay at moderately priced hotels, that early booking should be pursued where possible, and that Missions should maintain up-to-date lists of suitable hotels and should seek price reductions where the numbers to be accommodated or the frequency or duration of stay may warrant this. My Department is fully compliant with the Department of Finance guidelines on domestic and foreign travel. Given the essential nature of travel to my Department and in light of the significant expenditure which it incurs, my Department also operates its own detailed internal travel guidelines and practices which ensure cost effective travel practices, both in Headquarters and throughout our network of 75 Diplomatic Missions abroad.

Departmental Functions.

163. **Deputy Lucinda Creighton** asked the Minister for Foreign Affairs the average cost of entertainment per function, hosted by his Department. [9508/10]

Minister for Foreign Affairs (Deputy Micheál Martin): The volume of hospitality activity in Iveagh House varies from year to year depending on factors including the number of visits, conferences and events. In 2009, the department hosted 63 official hospitality events in Iveagh House at a cost of €109,000. The breakdown of events is as follows: 3 breakfasts, 33 lunches, 6 dinners, 16 receptions. On this basis, the average cost per function for 2009 is €1730. The purpose of this hospitality is to promote bilateral relations with other states in the context of visits by Heads of State, Heads of Government, Foreign Ministers and other high-level delegations.

Departmental Expenditure.

164. **Deputy Lucinda Creighton** asked the Minister for Foreign Affairs the average stipend in addition to core salary for those civil servants who are working overseas. [9509/10]

Minister for Foreign Affairs (Deputy Micheál Martin): My Department does not pay a stipend in addition to core salary to civil servants who are working overseas. My Department does operate a system of Foreign Service Allowances to defray certain additional expenses which officers may experience as a consequence of serving abroad at an Irish diplomatic mission. The extent to which officers require compensation through allowances is dependent on the cost of living differential between Dublin and the post abroad. Allowances are reviewed regularly to take account of any changes in this respect. The main components of the Foreign Service Allowance system are:

- Cost of Living Allowance (COLA), which is designed to estimate and defray costs associated with a higher cost of living at the post abroad. The Department uses the services of an independent firm to provide cost of living indices for the various locations required. COLA only becomes payable at posts with a higher cost of living index than Dublin.
- Local Post Allowance (LPA), which assists mainly with the additional indirect costs arising from the representational role of officers. This allowance which varies according to marital status and grade is payable at all locations abroad. Officers serving in desig-

nated “hardship” posts may also be currently entitled to a hardship allowance as part of their LPA. Where payable, this hardship element takes account of factors such as personal security and political tension, health, environmental factors, climate and isolation.

- Children’s Foreign Allowance (CFA), which compensates an officer for the additional costs incurred with regard to children.

Tourism Industry.

165. **Deputy Pat Breen** asked the Minister for Arts, Sport and Tourism if his attention has been drawn to the comments by the chief executive officer of Tourism Ireland that the current economic climate in the tourism industry is having a greater impact in the mid-west region; the steps he will take to address this matter; and if he will make a statement on the matter.

[9374/10]

Minister for Arts, Sport and Tourism (Deputy Martin Cullen): I am aware of the comments referred to by the Deputy which I understand were made in response to a specific question posed by a journalist at a regional tourism event organised by Fáilte Ireland, and related to preliminary estimates of overseas visitor numbers to the regions to end-September 2009. I have acknowledged on many occasions that we are currently in a very challenging period for Irish tourism. Ireland has not been immune from the significant reduction in tourism numbers internationally and all areas of the country have seen declines in visitor numbers due primarily to the continued pressures on consumer spending and exchange rate challenges in our main target overseas markets. Figures published yesterday by the Central Statistics Office show that the number of overseas visitors to Ireland in 2009 fell by 11.6% compared to 2008.

Regarding the particular challenges facing the Mid-West, as the Deputy will be aware, responsibility for developing tourism in specific regions is a matter for the Tourism State Agencies. An extensive range of marketing, product development, festival and sporting events, training and business supports are being put in place by these Agencies this year under the Tourism Services budget of the Department. Including capital allocations for product investment and other tourism development expenditure, the overall Tourism Services Budget stands at over €153m for 2010 — an increase of 3% on 2009. This increased allocation of public resources in the current difficult budgetary situation is clear recognition by Government of the important role that the tourism and hospitality sector will play in Ireland’s economic recovery. €44.25m is being provided this year for the Tourism Marketing Fund. Within this fund, funding for regional campaigns is being maintained at 2009 levels — including the promotion of the wider Shannon Airport catchment. This will allow Tourism Ireland to continue to promote the mid west vigorously and extensively through its ongoing global marketing activity and through specific, additional campaigns undertaken for the region in the United States and, to a lesser extent, in Great Britain.

In 2010, Fáilte Ireland, the national tourism development authority, will partner with businesses in the Mid West and Shannon region to help them grow their turnover, cut their costs, better manage cashflow and restructure their debt burden through a range of practical business supports. Furthermore, Fáilte Ireland’s range of 2010 activities — a new home holiday campaign, overseas regional marketing in key markets, capital investment in tourism projects, product development, business tourism promotion, festivals and events supports — will benefit tourism in general including the industry in the Shannon region. Finally, the Department’s direct funding to Shannon Development has been maintained at its 2009 level. I am confident

[Deputy Martin Cullen.]

that the necessary supports are in place to ensure that the target of returning Irish tourism to growth in the short term will be met and the Mid-west region will also benefit from the positive supports as outlined above.

Údarás na Gaeltachta.

166. **Deputy Aengus Ó Snodaigh** asked the Minister for Community, Rural and Gaeltacht Affairs cathain a bheidh an chéad toghchán eile d'Údarás na Gaeltachta ann; and if he will make a statement on the matter. [9372/10]

Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív): Reachtáladh an toghchán deireanach d'Údarás na Gaeltachta ar 2 Aibreán 2005. Faoi réir na reachtaíochta faoina bhfeidhmíonn an tÚdarás, ní mór an chéad toghchán eile a reachtáil am éigin sa tréimhse idir 1 Aibreán 2009 agus 1 Deireadh Fómhair 2010. Mar is eol don Teachta, tá moltaí éagsúla maidir leis an Ghaeilge agus an Ghaeltacht — a mbeadh impleachtaí acu don Údarás amach anseo — á bplé faoi láthair i gcomhthéacs an dréacht-Straitéis 20-bliain don Ghaeilge, a foilsíodh le déanaí. Sa chomhthéacs sin, níl sé i gceist agam cinneadh a thógáil ag an bpointe seo maidir le dáta don chéad toghchán eile don Údarás. Más gá, áfach, agus má oireann sé do chúinsí an cháis, is féidir liom an cás a bhreithniú maidir le Bille a thabhairt os comhair an Tí chun síneadh a chur le tréimhse chomhaltaí an Bhoird reatha.

Social Welfare Benefits.

167. **Deputy Martin Ferris** asked the Minister for Social and Family Affairs when a rent allowance application will be processed in respect of a person (details supplied). [9390/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

168. **Deputy Catherine Byrne** asked the Minister for Social and Family Affairs the number of children in primary school in the Dublin 8, 10 and 12 areas who are in receipt of the back to school allowance for the current academic year; and if she will make a statement on the matter. [9492/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

169. **Deputy Jack Wall** asked the Minister for Social and Family Affairs the position regarding an application for jobseeker's allowance in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [9356/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Money Advice and Budgeting Service.

170. **Deputy Ciarán Lynch** asked the Minister for Social and Family Affairs the number of applications received by the Money Advice and Budgeting Service system in 2009; if this was an increase or decrease on 2008; if advice was sought in regard to mortgage arrears, personal debt or other matters; the assistance that is provided for previously self-employed persons in

cases where a MABS Board do not consider their applications; and if she will make a statement on the matter. [9359/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Benefits.

171. **Deputy Jack Wall** asked the Minister for Social and Family Affairs the position regarding a claim for jobseeker's allowance in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [9362/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Appeals.

172. **Deputy Jack Wall** asked the Minister for Social and Family Affairs the position regarding an appeal against the decision to refuse their application for domiciliary care allowance in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [9363/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Benefits.

173. **Deputy Jack Wall** asked the Minister for Social and Family Affairs the position regarding an application for family income support in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [9367/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

174. **Deputy Martin Ferris** asked the Minister for Social and Family Affairs when disability application will be decided on in respect of a person (details supplied). [9386/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

175. **Deputy Martin Ferris** asked the Minister for Social and Family Affairs when social welfare payments will be awarded in respect of a person (details supplied). [9387/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

176. **Deputy Finian McGrath** asked the Minister for Social and Family Affairs further to Parliamentary Question No. 182 of 17 February 2010, if this person will be assisted. [9395/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

177. **Deputy John O'Mahony** asked the Minister for Social and Family Affairs when a person (details supplied) in County Mayo will receive a decision on their application for farm assist; and if she will make a statement on the matter. [9418/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

178. **Deputy Terence Flanagan** asked the Minister for Social and Family Affairs the position regarding the case of a person (details supplied) in County Dublin; and if she will make a statement on the matter. [9420/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Appeals.

179. **Deputy Michael Ring** asked the Minister for Social and Family Affairs if she will open an appeal for a person (details supplied) in County Mayo in respect of the rate of disability allowance they have been awarded. [9426/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Benefits.

180. **Deputy Joe Behan** asked the Minister for Social and Family Affairs the position regarding the case of a person (details supplied) in County Wicklow; and if she will make a statement on the matter. [9433/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

181. **Deputy Arthur Morgan** asked the Minister for Social and Family Affairs the average delay in the processing of social welfare claims in each of the social welfare offices in County Donegal; and if she will make a statement on the matter. [9436/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): The accompanying table shows the processing times in weeks for each local and branch office in Donegal during January 2010.

| | Jobseekers Allowance | Jobseekers Benefit |
|----------------------------|----------------------|--------------------|
| Buncrana Local Office | 5.83 | 3.26 |
| Dunfanaghy Local Office | 3.13 | 1.82 |
| Donegal Branch Office | 2.95 | 1.68 |
| Dungloe Local Office | 5.15 | 1.58 |
| Letterkenny Local Office | 3.07 | 1.19 |
| Manorhamilton Local Office | 1.07 | 0.85 |
| Ballybofey Branch Office | 2.20 | 1.19 |
| Killybegs Branch Office | 2.03 | 0.70 |
| Ballyshannon Branch Office | 4.01 | 1.53 |

The weekly average time for processing jobseekers benefit and jobseekers allowance applications in Donegal offices for January was 1.53 weeks and 3.27 weeks respectively. These are ahead of the national average processing times of 2.15 weeks for jobseekers benefit and 6.82 weeks for jobseekers allowance in the same month.

The huge rise in unemployment over the past 18 months or so has presented difficulties for the Department's network of local offices and the inspectorate. Measures have been taken to alleviate this pressure including the assignment of additional staff and claim acceptance and decision processes have been examined with a view to streamlining them and achieving greater efficiencies where possible.

I realise the importance of getting claims decided as quickly as possible and I can assure the Deputy that staff in local offices and in the Department's inspectorate are doing all they can to minimise delays in dealing with claims for jobseeker payments.

182. **Deputy Seán Fleming** asked the Minister for Social and Family Affairs when jobseeker's allowance will be awarded to a person (details supplied) in County Laois; and if she will make a statement on the matter. [9445/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

183. **Deputy John O'Mahony** asked the Minister for Social and Family Affairs the reason a person (details supplied) in County Galway was refused the family income supplement. [9447/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

184. **Deputy Terence Flanagan** asked the Minister for Social and Family Affairs the position regarding the case of a person (details supplied) in Dublin 5; and if she will make a statement on the matter. [9448/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

185. **Deputy Catherine Byrne** asked the Minister for Social and Family Affairs the number of registered addresses at which rent supplement is being paid to individuals in the Dublin 8, 10 and 12 areas respectively; and if she will make a statement on the matter. [9491/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): The supplementary welfare allowance scheme provides for a weekly or monthly supplement to be paid in respect of rent or mortgage interest to any person in the State whose means are insufficient to meet their needs. The supplementary welfare allowance scheme is administered by the community welfare service of the Health Service Executive on behalf of the Department.

The purpose of the rent supplement scheme is to provide short-term support, to eligible people living in private rented accommodation whose means are insufficient to meet their accommodation costs and who do not have accommodation available to them from any other source. The most up to date figures available at this time pertain to the year ending December 2009. The following table details the numbers of rent supplement claims in the relevant Dublin postal districts.

[Deputy Mary Hanafin.]

| Postal District | No. of Claimants |
|-----------------|------------------|
| Dublin 08 | 2,444 |
| Dublin 10 | 328 |
| Dublin 12 | 938 |
| | 3,710 |

186. **Deputy Lucinda Creighton** asked the Minister for Social and Family Affairs if the details of a person (details supplied) can be permanently updated on her Department's database, as a matter of course. [9496/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Appeals.

187. **Deputy Phil Hogan** asked the Minister for Social and Family Affairs when a decision will be made on an appeal for a non-contributory State pension in respect of a person (details supplied) in County Kilkenny; and if she will make a statement on the matter. [9632/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Benefits.

188. **Deputy Pat Breen** asked the Minister for Social and Family Affairs when an application will be processed in respect of a person (details supplied) in County Clare; and if she will make a statement on the matter. [9639/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Parliamentary Questions.

189. **Deputy David Stanton** asked the Minister for Social and Family Affairs, in view of the parliamentary questions to which responses have not been provided due to industrial action, if answers will be provided when the industrial action has been concluded; and if she will make a statement on the matter. [9646/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): In view of the fact that it is unclear for how long the industrial action will continue, it is not possible for me to give a commitment at this stage along the lines sought by the Deputy.

Social Welfare Benefits.

190. **Deputy Billy Timmins** asked the Minister for Social and Family Affairs the position regarding jobseeker's allowance application in respect of a person (details supplied) in County Wicklow; and if she will make a statement on the matter. [9673/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Defence Forces Strength.

191. **Deputy Brian O'Shea** asked the Minister for Defence the strength of the Army, Air Corps and Naval Service; the way these compare with the established level in each case; his plans for recruitment to the Defence Forces during 2010; and if he will make a statement on the matter. [9380/10]

Minister of State at the Department of Defence (Deputy Pat Carey): The White Paper on Defence of February 2000 sets out a figure of 10,500 personnel for the Permanent Defence Force comprising 930 for the Air Corps, 1,144 for the Naval Service and 8,426 for the Army. I am advised by the military authorities that the strength of the Permanent Defence Force as at 31 January 2010, the latest date for which figures are available was 9,906 broken down as follows ; 805 for the Air Corps, 1,031 for the Naval Service and 8,070 for the Army.

I am acutely aware of the impact of the moratorium on the Permanent Defence Force particularly in light of the very high turnover rate that is part of any military organisation. Within the available resources, the government is committed to maintaining the strength of the Defence Forces at a level of 10,000 all ranks, for which Government approval has been secured in the context of Budget 2010. This reflects the reductions in personnel recommended in the Report of the Special Group on Public Service Numbers and Expenditure Programmes.

Officials from my Department are continuing to engage with the Military Authorities in relation to the review of structures and posts required to meet the operational requirements of the Defence Forces in light of the Government decision to maintain a complement of 10,000 personnel. As the numbers in the Permanent Defence Force have now dropped below 10,000, recruitment will be carried out in 2010 in order to bring the numbers back to this level. Details of the recruitment campaign for 2010 in relation to the numbers of general service recruits and the commencement of any such recruitment campaigns are not yet available. Planning for this process is underway.

I am advised that at this time the Defence Forces retain the capacity to undertake the tasks laid down by Government both at home and overseas.

192. **Deputy Jimmy Deenihan** asked the Minister for Defence the strength of the Army Ranger Wing as a percentage of its establishment; and if he will make a statement on the matter. [9375/10]

Minister of State at the Department of Defence (Deputy Pat Carey): I am advised by the Military Authorities that the Army Ranger Wing (ARW) is currently operating at its full established strength. The Military Authorities have further advised that this strength is sufficient to meet anticipated operational requirements. For security and operational reasons it has not been military practice to publicise exact details of the establishment or actual strength of the ARW.

Decentralisation Programme.

193. **Deputy Jimmy Deenihan** asked the Minister for Defence the date on which his Department is expected to move into the new departmental headquarters; the costs that are budgeted for to facilitate the equipping and the move; and if he will make a statement on the matter. [9376/10]

194. **Deputy Jimmy Deenihan** asked the Minister for Defence the expenditure on decentralisation projects by his Department and agencies, and organisations under its responsibility, in the period from the announcement of the plan for decentralisation announced on 3 December 2003 to date in 2010; the bills associated with decentralisation paid in 2009; the bills associated with decentralisation projects in the Defence area budgeted for in 2010; and if he will make a statement on the matter. [9377/10]

Minister of State at the Department of Defence (Deputy Pat Carey): I propose to take Questions Nos. 193 and 194 together.

The Deputy will be aware that the Government decision on decentralisation provides for the transfer of my Department's Dublin-based civil service staff, together with a number of military personnel, to Newbridge, Co. Kildare and for the decentralisation of the Defence Forces Headquarters (DFHQ) to the Curragh. Approximately 200 of my Department's Dublin-based civil servants, together with about 55 military personnel will relocate to Newbridge. Approximately 88% of Civil Service staff who wish to decentralise to Newbridge were in situ at the end of December.

The new building at Newbridge is progressing well and is expected to be ready for occupation in the summer. In light of budgetary constraints at this time the Government has decided to defer proceeding with the new building for DFHQ at the Curragh. This location, along with a number of other deferred locations, will be considered as part of the overall review of the programme in 2011. The site selected for the building is state owned.

In relation to costs for the Newbridge project, site acquisition, building construction and fit-out costs are borne on the Vote of the Office of the Public Works (OPW). I understand that the total estimated cost of the Newbridge project is approximately €30 million. The expenditure by my Department for the project to the end of 2009 was €905,604. In relation to costs in 2010, it is estimated that ICT costs will be approximately €550,000. Additional costs in 2010, for items such as furniture removals, will be met from within my Department's administrative budget.

Question No. 195 answered with Question No. 83.

Defence Forces Strength.

196. **Deputy Bernard J. Durkan** asked the Minister for Defence the strength of the Army by rank and gender; the degree to which this has fluctuated in each of the past three years and to date in 2010; his plans regarding same; and if he will make a statement on the matter. [9647/10]

197. **Deputy Bernard J. Durkan** asked the Minister for Defence the strength of naval services by rank and gender; the degree to which this has fluctuated in each of the past three years and to date in 2010; his plans regarding same; and if he will make a statement on the matter. [9648/10]

203. **Deputy Bernard J. Durkan** asked the Minister for Defence the strength of the Air Corps; the extent to which numbers have increased or decreased in each of the past three years and to date in 2010; the number who have retired or have taken early retirement; and if he will make a statement on the matter. [9654/10]

Minister of State at the Department of Defence (Deputy Pat Carey): I propose to take Questions Nos. 196, 197 and 203 together.

The following tabular statements provide a breakdown of the strength of the Permanent Defence Force on the basis of both rank and gender for each of the years 2007, 2008 and 2009, and to date in 2010. A further table outlines the number of discharges from the Air Corps for each of the years 2007, 2008, 2009 and to date in 2010. I am advised that at this time the Defence Forces retain the capacity to undertake the tasks laid down by Government both at home and overseas.

STRENGTH OF MALES IN THE DEFENCE FORCES — 31-Dec-07

| | LT Gen | Maj Gen | Brig Gen | Col | Lt Col | Comdt | Capt | Lt | Total Offrs | SM | BQMS | CS | CQMS | SGTS | CPLS | Total NCOS | PTES | Cadets | Total |
|---------------|----------|----------|-----------|-----------|------------|------------|------------|------------|--------------|-----------|-----------|------------|------------|--------------|--------------|--------------|--------------|-----------|--------------|
| Army | 1 | 3 | 8 | 40 | 132 | 301 | 204 | 257 | 946 | 31 | 36 | 132 | 251 | 1,029 | 1,347 | 2,818 | 4,230 | 62 | 8,056 |
| Air Corps | | | 1 | 2 | 14 | 30 | 56 | 29 | 132 | 7 | 4 | 49 | 14 | 135 | 162 | 371 | 286 | 23 | 812 |
| Naval Service | | | 1 | 2 | 12 | 42 | 41 | 43 | 141 | 6 | 7 | 75 | 15 | 212 | 165 | 480 | 375 | 10 | 1,006 |
| Total | 1 | 3 | 10 | 44 | 158 | 373 | 301 | 329 | 1,219 | 44 | 47 | 256 | 280 | 1,376 | 1,674 | 3,669 | 4,891 | 95 | 9,874 |

STRENGTH OF FEMALES IN THE DEFENCE FORCES — 31-Dec-07

| | LT Gen | Maj Gen | Brig Gen | Col | Lt Col | Comdt | Capt | Lt | Total Offrs | SM | BQMS | CS | CQMS | SGTS | CPLS | Total NCOS | PTES | Cadets | Total |
|---------------|--------|---------|----------|-----|----------|-----------|-----------|-----------|-------------|----|------|----------|----------|-----------|------------|------------|------------|-----------|------------|
| Army | | | | | 1 | 18 | 44 | 40 | 103 | | | 3 | 1 | 23 | 102 | 129 | 216 | 8 | 456 |
| Air Corps | | | | | | | 3 | 2 | 5 | | | 1 | | 1 | 10 | 12 | 15 | 1 | 33 |
| Naval Service | | | | | | | 10 | 8 | 18 | | | | | | 7 | 7 | 40 | 6 | 71 |
| Total | | | | | 1 | 18 | 57 | 50 | 126 | | | 4 | 1 | 24 | 119 | 148 | 271 | 15 | 560 |

STRENGTH OF THE DEFENCE FORCES — 31-Dec-07

| | LT Gen | Maj Gen | Brig Gen | Col | Lt Col | Comdt | Capt | Lt | Total Offrs | SM | BQMS | CS | CQMS | SGTS | CPLS | Total NCOS | PTES | Cadets | Total |
|---------------|----------|----------|-----------|-----------|------------|------------|------------|------------|--------------|-----------|-----------|------------|------------|--------------|--------------|--------------|--------------|------------|---------------|
| Army | 1 | 3 | 8 | 40 | 133 | 319 | 248 | 297 | 1,049 | 31 | 34 | 129 | 252 | 1,052 | 1,449 | 2,947 | 4,446 | 70 | 8,512 |
| Air Corps | | | 1 | 2 | 14 | 30 | 59 | 31 | 137 | 7 | 4 | 50 | 14 | 136 | 172 | 383 | 301 | 24 | 845 |
| Naval Service | | | 1 | 2 | 12 | 42 | 51 | 51 | 159 | 6 | 7 | 75 | 15 | 212 | 172 | 487 | 415 | 16 | 1,077 |
| Total | 1 | 3 | 10 | 44 | 159 | 391 | 358 | 379 | 1,345 | 44 | 45 | 254 | 281 | 1,400 | 1,793 | 3,817 | 5,162 | 110 | 10,434 |

STRENGTH OF MALES IN THE DEFENCE FORCES — 31-Dec-08

| | LT Gen | Maj Gen | Brig Gen | Col | Lt Col | Comdt | Capt | Lt | Total Offrs | SM | BQMS | CS | CQMS | SGTS | CPLS | Total NCOS | PTES | Cadets | Total |
|---------------|----------|----------|----------|-----------|------------|------------|------------|------------|--------------|-----------|-----------|------------|------------|--------------|--------------|--------------|--------------|-----------|--------------|
| Army | 1 | 3 | 7 | 41 | 130 | 284 | 189 | 305 | 960 | 32 | 36 | 132 | 250 | 1,016 | 1,359 | 2,826 | 4,194 | 58 | 8,038 |
| Air Corps | | | 1 | 2 | 12 | 32 | 54 | 42 | 143 | 7 | 4 | 47 | 15 | 132 | 161 | 366 | 278 | 13 | 800 |
| Naval Service | | | 1 | 2 | 12 | 41 | 32 | 49 | 137 | 6 | 7 | 76 | 15 | 216 | 166 | 486 | 367 | 10 | 1,000 |
| Total | 1 | 3 | 9 | 45 | 154 | 357 | 275 | 396 | 1,240 | 45 | 47 | 255 | 280 | 1,364 | 1,686 | 3,678 | 4,839 | 81 | 9,838 |

STRENGTH OF FEMALES IN THE DEFENCE FORCES — 31-Dec-08

| | LT Gen | Maj Gen | Brig Gen | Col | Lt Col | Comdt | Capt | Lt | Total Offrs | SM | BQMS | CS | CQMS | SGTS | CPLS | Total NCOS | PTES | Cadets | Total |
|---------------|--------|---------|----------|-----|--------|-------|------|----|-------------|----|------|----|------|------|------|------------|------|--------|-------|
| Army | | | | | 1 | 21 | 48 | 41 | 111 | | | 3 | 1 | 32 | 108 | 144 | 200 | 13 | 468 |
| Air Corps | | | | | | | 2 | 2 | 4 | | | 1 | | 3 | 10 | 14 | 13 | 1 | 32 |
| Naval Service | | | | | | 2 | 10 | 11 | 23 | | | | | | 9 | 9 | 35 | 3 | 70 |
| Total | | | | | 1 | 23 | 60 | 54 | 138 | | | 4 | 1 | 35 | 127 | 167 | 248 | 17 | 570 |

STRENGTH OF THE DEFENCE FORCES — 31-Dec-08

| | LT Gen | Maj Gen | Brig Gen | Col | Lt Col | Comdt | Capt | Lt | Total Offrs | SM | BQMS | CS | CQMS | SGTS | CPLS | Total NCOS | PTES | Cadets | Total |
|---------------|--------|---------|----------|-----|--------|-------|------|-----|-------------|----|------|-----|------|-------|-------|------------|-------|--------|--------|
| Army | 1 | 3 | 7 | 41 | 131 | 305 | 237 | 346 | 1,071 | 32 | 39 | 133 | 251 | 1,048 | 1,467 | 2,970 | 4,394 | 71 | 8,506 |
| Air Corps | | | 1 | 2 | 12 | 32 | 56 | 44 | 147 | 7 | 4 | 48 | 15 | 135 | 171 | 380 | 291 | 14 | 832 |
| Naval Service | | | 1 | 2 | 12 | 43 | 42 | 60 | 160 | 6 | 7 | 76 | 15 | 216 | 175 | 495 | 402 | 13 | 1,070 |
| Total | 1 | 3 | 9 | 45 | 155 | 380 | 335 | 450 | 1,378 | 45 | 50 | 257 | 281 | 1,399 | 1,813 | 3,845 | 5,087 | 98 | 10,408 |

STRENGTH OF MALES IN THE DEFENCE FORCES — 31-Dec-09

| | LT Gen | Maj Gen | Brig Gen | Col | Lt Col | Comdt | Capt | Lt | Total Offrs | SM | BQMS | CS | CQMS | SGTS | CPLS | Total NCOS | PTES | Cadets | Total |
|---------------|--------|---------|----------|-----|--------|-------|------|-----|-------------|----|------|-----|------|-------|-------|------------|-------|--------|-------|
| Army | 1 | 2 | 6 | 31 | 113 | 271 | 240 | 266 | 930 | 26 | 36 | 132 | 232 | 959 | 1,320 | 2,691 | 3,958 | 54 | 7,633 |
| Air Corps | | | 1 | 1 | 13 | 29 | 62 | 31 | 137 | 7 | 4 | 49 | 13 | 126 | 157 | 356 | 270 | 5 | 768 |
| Naval Service | | | 1 | | 13 | 37 | 39 | 51 | 141 | 4 | 6 | 74 | 16 | 210 | 156 | 466 | 345 | 13 | 965 |
| TOTAL | 1 | 2 | 8 | 32 | 139 | 337 | 341 | 348 | 1,208 | 37 | 46 | 255 | 261 | 1,295 | 1,633 | 3,513 | 4,573 | 72 | 9,366 |

STRENGTH OF FEMALES IN THE DEFENCE FORCES — 31-Dec-09

| | LT Gen | Maj Gen | Brig Gen | Col | Lt Col | Comdt | Capt | Lt | Total Offrs | SM | BQMS | CS | CQMS | SGTS | CPLS | Total NCOS | PTES | Cadets | Total |
|---------------|--------|---------|----------|-----|--------|-------|------|----|-------------|----|------|----|------|------|------|------------|------|--------|-------|
| Army | | | | | 2 | 19 | 43 | 47 | 111 | | | 3 | 1 | 32 | 109 | 145 | 194 | 12 | 462 |
| Air Corps | | | | | | | 4 | 1 | 5 | | | 1 | | 4 | 10 | 15 | 12 | 1 | 33 |
| Naval Service | | | | | | 2 | 10 | 11 | 23 | | | | | | 9 | 9 | 34 | 6 | 72 |
| TOTAL | | | | | 2 | 21 | 57 | 59 | 139 | | | 4 | 1 | 36 | 128 | 169 | 240 | 19 | 567 |

STRENGTH OF THE DEFENCE FORCES — 31-Dec-09

| | LT Gen | Maj Gen | Brig Gen | Col | Lt Col | Comdt | Capt | Lt | Total Offrs | SM | BQMS | CS | CQMS | SGTS | CPLS | Total NCOS | PTES | Cadets | Total |
|---------------|----------|----------|----------|-----------|------------|------------|------------|------------|--------------|-----------|-----------|------------|------------|--------------|--------------|--------------|--------------|-----------|--------------|
| Army | 1 | 2 | 6 | 31 | 115 | 290 | 283 | 313 | 1,041 | 26 | 30 | 127 | 233 | 991 | 1,429 | 2,836 | 4,152 | 66 | 8,095 |
| Air Corps | | | 1 | 1 | 13 | 29 | 66 | 32 | 142 | 7 | 4 | 50 | 13 | 130 | 167 | 371 | 282 | 6 | 801 |
| Naval Service | | | 1 | | 13 | 39 | 49 | 62 | 164 | 4 | 6 | 74 | 16 | 210 | 165 | 475 | 379 | 19 | 1,037 |
| TOTAL | 1 | 2 | 8 | 32 | 141 | 358 | 398 | 407 | 1,347 | 37 | 40 | 251 | 262 | 1,331 | 1,761 | 3,682 | 4,813 | 91 | 9,933 |

STRENGTH OF MALES IN THE DEFENCE FORCES — 31-Jan-10

| | LT Gen | Maj Gen | Brig Gen | Col | Lt Col | Comdt | Capt | Lt | Total Offrs | SM | BQMS | CS | CQMS | SGTS | CPLS | Total NCOS | PTES | Cadets | Total |
|---------------|----------|----------|----------|-----------|------------|------------|------------|------------|--------------|-----------|-----------|------------|------------|--------------|--------------|--------------|--------------|-----------|--------------|
| Army | 1 | 2 | 6 | 34 | 112 | 270 | 239 | 297 | 961 | 26 | 36 | 132 | 233 | 957 | 1,311 | 2,678 | 3,946 | 24 | 7,609 |
| Air Corps | | | 1 | 1 | 13 | 29 | 62 | 37 | 143 | 7 | 4 | 49 | 13 | 125 | 157 | 355 | 270 | 5 | 773 |
| Naval Service | | | 1 | 1 | 13 | 36 | 39 | 45 | 135 | 4 | 6 | 74 | 16 | 210 | 156 | 466 | 345 | 13 | 959 |
| Total | 1 | 2 | 8 | 36 | 138 | 335 | 340 | 379 | 1,239 | 37 | 46 | 255 | 262 | 1,292 | 1,624 | 3,499 | 4,561 | 42 | 9,341 |

STRENGTH OF FEMALES IN THE DEFENCE FORCES — 31-Jan-10

| | LT Gen | Maj Gen | Brig Gen | Col | Lt Col | Comdt | Capt | Lt | Total Offrs | SM | BQMS | CS | CQMS | SGTS | CPLS | Total NCOS | PTES | Cadets | Total |
|---------------|--------|---------|----------|-----|--------|-------|------|----|-------------|----|------|----|------|------|------|------------|------|--------|-------|
| Army | | | | | 2 | 20 | 41 | 51 | 114 | | | 3 | 1 | 33 | 108 | 145 | 194 | 8 | 461 |
| Air Corps | | | | | | | 4 | 1 | 5 | | | 1 | | 4 | 10 | 15 | 12 | | 32 |
| Naval Service | | | | | | 2 | 10 | 12 | 24 | | | | | | 9 | 9 | 34 | 5 | 72 |
| Total | | | | | 2 | 22 | 55 | 64 | 143 | | | 4 | 1 | 37 | 127 | 169 | 240 | 13 | 565 |

STRENGTH OF THE DEFENCE FORCES — 31-Jan-10

| | LT Gen | Maj Gen | Brig Gen | Col | Lt Col | Comdt | Capt | Lt | Total Offrs | SM | BQMS | CS | CQMS | SGTS | CPLS | Total NCOS | PTES | Cadets | Total |
|---------------|--------|---------|----------|-----|--------|-------|------|-----|-------------|----|------|-----|------|-------|-------|------------|-------|--------|-------|
| Army | 1 | 2 | 6 | 34 | 114 | 290 | 280 | 348 | 1,075 | 26 | 28 | 126 | 234 | 990 | 1,419 | 2,823 | 4,140 | 32 | 8,070 |
| Air Corps | | | 1 | 1 | 13 | 29 | 66 | 38 | 148 | 7 | 4 | 50 | 13 | 129 | 167 | 370 | 282 | 5 | 805 |
| Naval Service | | | 1 | 1 | 13 | 38 | 49 | 57 | 159 | 4 | 6 | 74 | 16 | 210 | 165 | 475 | 379 | 18 | 1,031 |
| Total | 1 | 2 | 8 | 36 | 140 | 357 | 395 | 443 | 1,382 | 37 | 38 | 250 | 263 | 1,329 | 1,751 | 3,668 | 4,801 | 55 | 9,906 |

[Deputy Pat Carey.]

Air Corps Discharges 2007-2010

| Year | Number |
|------|--------|
| 2010 | 4 |
| 2009 | 38 |
| 2008 | 33 |
| 2007 | 53 |

Question No. 198 answered with Question No. 79.

Defence Forces Training.

199. **Deputy Bernard J. Durkan** asked the Minister for Defence the degree to which specific training is provided to assist in a rapid response in the event of a natural disaster or terrorist attack; the degree to which cooperation and coordination between the Army, Navy and Air Corps and the appropriate Minister of a Government Department with overall responsibility is likely; and if he will make a statement on the matter. [9650/10]

205. **Deputy Bernard J. Durkan** asked the Minister for Defence if a rapid response unit exists within the Defence Forces with the objective of a rapid response to natural disasters at home or abroad; and if he will make a statement on the matter. [9656/10]

Minister of State at the Department of Defence (Deputy Pat Carey): I propose to take Questions Nos. 199 and 205 together.

The involvement of the Defence Forces in responding to emergencies arises from requests for assistance from An Garda Síochána (as aid to the civil power) or from other agencies of the State (as aid to the civil authority). The role of the Defence Forces in these situations is dependent on the nature of the incident and the assistance requested.

The full spectrum of Defence Forces personnel and equipment commensurate with operational requirements is available for deployments in response to emergencies and crises. This includes, inter alia, a variety of off-road vehicles, engineer plant, trained drivers and operators, fixed and rotary wing aircraft, Naval Service ships and divers, personnel with other skills in areas such as logistics and medicine. The Defence Forces alert system is based on a graduated response, which ensures that the required level of readiness and commitment by the Defence Forces can be readily achieved.

As a support agency, the Defence Forces deploy capabilities which are integral to their military and contingency roles and training is in relation to these capabilities rather than specific capabilities for natural disasters or possible terrorist attacks. The Framework for Major Emergency Management sets out the structure enabling the Principle Response Agencies (An Garda Síochána, the Health Service Executive and Local Authorities) to prepare for, and make a coordinated response to, major emergencies and the Defence Forces respond within that framework.

The Major Emergency Framework sets out the specific arrangements for coordination and cooperation between the primary response agencies and the Defence Forces. The Operations Directorate in Defence Forces Headquarters manages the necessary cross service coordination. These arrangements have proved effective in all emergencies encountered to date.

There is no dedicated Defence Forces unit which is designated with responsibility for responding to overseas emergencies. However, subject to Government approval, Defence Forces capabilities can be made available for such operations. In addition, members of the Defence Forces are on the rapid response register of Irish Aid and a stockpile of humanitarian aid is stored in the Curragh camp.

Defence Forces Properties.

200. **Deputy Bernard J. Durkan** asked the Minister for Defence the number of overholders currently in military accommodation; the degree to which efforts are being made to negotiate with the relevant local authorities in an effort to meet their housing needs; and if he will make a statement on the matter. [9651/10]

Minister of State at the Department of Defence (Deputy Pat Carey): There were 54 military properties overheld at 31 December 2009. Of these 54, agreements are in place with 11 of the occupants to purchase the properties as they are located outside of barracks. Negotiations to sell will soon commence in another two cases that are also situated outside barracks. The remaining 41 properties overheld are located at the Curragh, 38 within the confines of the camp and 3 outside the camp. It is the intention of the Department to obtain vacant possession in the majority of these cases. A number of discussions have taken place over the past two years with the local authority in question and it has housed some of the occupants. It is anticipated that there will be a demand in the near future for local authority housing by a number of the occupants.

Air Corps Recruitment.

201. **Deputy Bernard J. Durkan** asked the Minister for Defence the number of Air Corps cadets accepted in each of the past three years and to date in 2010; and if he will make a statement on the matter. [9652/10]

Minister of State at the Department of Defence (Deputy Pat Carey): A total of five Air Corps Cadets were recruited in 2007. In 2008 and 2009 the Military Authorities advised that in relation to the Air Corps there was no requirement to recruit Air Corps Cadets. This position was a function of the number of serving pilots, the number in training, the number of retirements and other anticipated departures.

Resulting from the Government Decision regarding the reduction of public service numbers and the reduced budgetary provision available for 2009, recruitment, promotions and acting up appointments in the Permanent Defence Forces were suspended.

Within the available resources, the Government is committed to maintaining the strength of the Defence Forces at a level of 10,000 all ranks, for which Government approval has been secured in the context of Budget 2010. This reflects the reductions in personnel recommended in the Report of the Special Group on Public Service Numbers and Expenditure Programmes.

As the numbers in the Permanent Defence Force have dropped below 10,000, recruitment will be carried out in 2010 in order to bring the numbers back to this level. Details of the recruitment campaign for 2010 in relation to the numbers of general service recruits to be enlisted, whether there will be a cadet competition, and the commencement of any such recruitment campaigns, are not yet available. Planning for this process is underway.

It is intended, with the support of the Chief of Staff and within the resources available, to retain the capacity of the organisation to operate effectively across all roles while contributing to the necessary public service economies.

[Deputy Pat Carey.]

I am advised that at this time the Defence Forces retain the capacity to undertake the tasks laid down by Government at home and overseas.

Defence Forces Equipment.

202. **Deputy Bernard J. Durkan** asked the Minister for Defence the estimated expenditure for the upgrading of vehicles and equipment in the current year; and if he will make a statement on the matter. [9653/10]

Minister of State at the Department of Defence (Deputy Pat Carey): Investment in new equipment for the Defence Forces is provided for under various Subheads of the Defence Vote relating to defensive equipment, mechanical transport, aircraft, ships and naval stores, engineering, communications and information technology equipment etc.

The main purchase of defensive equipment is covered under Subhead G of the Defence Vote. This encompasses the acquisition of ammunition, weapons and other military equipment for the Defence Forces, including the acquisition of Light Tactical Armoured Vehicles, the first 17 of which are due for acceptance at the end of March 2010. The provision for Subhead G for 2010 is €37m.

The upgrade of non-armoured vehicles, purchase of spare parts, the maintenance and running costs of the fleet, including fuel and lubricants and the purchase of new vehicles is covered under Subhead I of the Defence Vote. The acquisitions planned for this year include 22 Mini-buses, 2 ambulances, 45 $\frac{3}{4}$ ton 4 x 4 patrol vehicles and 4 midi-coaches for troop transportation. The provision for Subhead I for 2010 is €16.955m.

Question No. 203 answered with Question No. 196.

204. **Deputy Bernard J. Durkan** asked the Minister for Defence the number of air craft, helicopter and fixed wing available to the Air Corps for rescue or emergency services; and if he will make a statement on the matter. [9655/10]

Minister of State at the Department of Defence (Deputy Pat Carey): The role of the Air Corps as set out in the White Paper on Defence is to provide a range of military and non-military services in support of the State. These services include the provision of an air ambulance service on the basis of agreed arrangements with the Department of Health and Children, and the provision of assistance in relation to civil emergencies in response to requests from the An Garda Síochána, and the principal response agencies such as the Irish Coast Guard. The Air Corps Maritime Patrol aircraft, while primarily tasked for sea fisheries protection activities, also assist the Coast Guard in Search and Rescue operations at sea. The Air Corps helicopters play a role in inland search and rescue missions. The AW 139 helicopter is the Air Corps' main aircraft for Air Ambulance operations. The Lear and the GIV have also been used on occasion for this type of mission. The number of air craft available to the Air Corps for rescue and emergency services are set out in the following tables:

Fixed Wing Air Craft Available for Rescue/Providing Emergency Services

| Air Craft | No. Available to the Air Corps |
|---------------------------------|--------------------------------|
| CASA — Maritime Patrol Aircraft | 2 |
| Lear | 1 |
| GIV | 1 |
| Cessna | 4 |

Helicopters

| Air Craft | No. Available to the Air Corps |
|-----------|--------------------------------|
| AW 139 | 6 |
| EC 135P2 | 2 |

Question No. 205 answered with Question No. 199.

Local Authority Housing.

206. **Deputy Alan Shatter** asked the Minister for the Environment, Heritage and Local Government the position regarding the plans of Dún Laoghaire-Rathdown County Council for the redevelopment of an estate (details supplied) and the sanction required by the council and the moneys necessary to progress the proposal; if his attention has been drawn to the fact that due to the deteriorating condition of the dwellings, the council has commenced de-tenanting the flats; and if he will make a statement on the matter. [9357/10]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): My Department has been in regular contact with Dún Laoghaire-Rathdown County Council in connection with its proposals for the regeneration of the area in question. The council recently submitted additional information in respect of its proposals. Further discussions on the matter took place between my Department and the Council at the recent Housing Action Plan meeting. My Department is considering the information received and will shortly be in contact with Dún Laoghaire-Rathdown County Council with a view to determining the most appropriate sustainable solution for the regeneration of this area.

Planning Issues.

207. **Deputy Michael Creed** asked the Minister for the Environment, Heritage and Local Government the details of the new Environment Protection Authority regulations pertaining to percolation tests for once off rural dwellings; if testers will require re-training in order to carry out those tests; and if he will make a statement on the matter. [9360/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The EPA's new Code of Practice on waste water treatment and disposal systems serving Single Houses was published in October 2006 and refers to the suite of new European Standards for small wastewater treatment plans, EN 12566. The new Code of Practice updates previous guidance and sets out comprehensive requirements in relation to new on-site wastewater systems, including the methodology to be followed for the assessment of sites for single houses in unsewered areas, as well as procedures for the selection, installation and maintenance of wastewater treatment and disposal systems appropriate to conditions encountered on specific sites. A copy of the Code of Practice is available to view and download from www.epa.ie. My Department issued a circular letter to planning authorities in January 2010 regarding implementation of the EPA's new Code of Practice, which *inter alia* requests planning authorities to continue their practice of requiring that details of on-going proprietary waste water systems maintenance contracts with suppliers or expert contractors are provided as part of the planning application documentation, and that such contracts should be maintained by the applicants, developers or property owners as appropriate, as a condition of any planning permission or approval. While some site suitability test thresholds have increased, the procedures for undertaking tests have not changed substantially. Therefore, it is unlikely that significant retraining will be required.

[Deputy John Gormley.]

A copy of the circular is available to view in the Oireachtas Library and on the Department's website, *www.environ.ie*. It is intended to call up the EPA Code of Practice in the technical guidance document to Part H of the Building Regulations which are being reviewed and are out for public consultation, in substitution for SR: 6 of 1991 which will then be withdrawn by the National Standards Authority of Ireland. The renewed programme for Government includes a commitment to introduce a scheme for the licensing and inspection of septic tanks and other on-site wastewater treatment systems. My Department is chairing a task force to consider how the inspection of septic tanks should be carried out. Legislation will also be required to give effect to the new inspection regime. At this stage, while this matter is receiving priority attention, it is too early to estimate when the new arrangements will be operational.

Recycling Policy.

208. **Deputy John Cregan** asked the Minister for the Environment, Heritage and Local Government his views on extending the subsidy scheme used plastics and recycling collections whereby a subsidy is paid from the levy to a group (details supplied) to private operators. [9415/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Under the Waste Management (Farm Plastics) Regulations 2001, which revised and replaced previous regulations made in 1997, a wide range of obligations are imposed on producers — manufacturers and importers — and suppliers of farm plastics, such as silage bale wrap and sheeting, requiring them to collect and recover such plastics at end-of-life. As an alternative to operators self-complying in this regard, both producers and suppliers of farm plastics may contribute to and participate in compliance schemes established for the recovery of farm plastics waste. The Irish Farm Films Producers Group, IFFPG, which comprises membership of film manufacturers, importers and suppliers, is a not-for-profit organisation and is at present the sole approved body in Ireland for the purposes of operating a compliance scheme for the recovery of farm plastics. Under the terms of its approval, the IFFPG is required to meet specified targets equating to the recovery of 60% of all farm plastics placed on the market in 2009 and in each year thereafter. Almost 12,500 tonnes of farm plastics were collected by the IFFPG in 2008 for the purpose of recycling, representing a national recovery rate of over 74% of farm plastics placed on the Irish market in that year. I should mention that 55% was the required target for 2008.

The scheme funds its activities by means of the imposition on producer members of an Environmental Protection Contribution levy of €127 per tonne of farm plastics placed on the Irish market. These levies are included in the sale price of the product and are passed through each step in the trading chain, down ultimately to the individual farmer. The Environmental Protection Contribution levies collected are transferred by producers to the IFFPG for the purpose of funding authorised collection agents on a nationwide basis to collect waste silage or bale wrap, before transporting it to recycling facilities at home and abroad for reprocessing. In addition, the levy income is supplemented by a differential weight-based collection fee applied on the collection of farm plastics from both individual farmyards and designated collection points of which there were approximately 140 operating nationally in 2009. Neither the levy nor the collection fees are prescribed in the regulations, they are set by the board of the IFFPG at a level that ensures their operating costs are met having regard to the producer responsibility obligations on their members. Ultimately, the levy paid by film manufacturers and importers to the IFFPG is a specific producer contribution towards the cost of recovering farm films at end-of-life. The costs associated with the collection and recovery of other types

of farm plastics need to be met from other sources. It is my understanding that the IFFPG is developing proposals in this regard which are now close to finalisation.

Town Status.

209. **Deputy Mary Wallace** asked the Minister for the Environment, Heritage and Local Government further to Question No. 522 of 16 February 2010, the position regarding the two towns (details supplied) in County Meath; and if he will make a statement on the matter.

[9427/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): As set out in the reply to Question No. 522 of 16 February 2010, the matter of town local government is among a broad suite of issues which are being considered by Government in the context of current deliberations on the proposed white paper on local government.

Local Authority Funding.

210. **Deputy Mary Wallace** asked the Minister for the Environment, Heritage and Local Government the amount of funding his Department has provided towards the public offices (details supplied) in County Meath; the years in which that funding was provided ; if his attention has been drawn to the proposed withdrawal of service to the public from these premises; if the premises are freehold or if there is moneys outstanding on same; and if he will make a statement on the matter. [9428/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): A total of €750,000 was paid by my Department to Meath County Council in 2003 in respect of the one-stop-shop in Ashbourne. No further funding is due from my Department in this respect. The other issues raised in the question, including future plans for the Ashbourne one-stop-shop, are matters for Meath County Council.

Local Authority Boundaries.

211. **Deputy Pat Breen** asked the Minister for the Environment, Heritage and Local Government if he will report on the terms of reference of Limerick local government committee, the composition of which he announced recently; if its brief includes County Clare; and if he will make a statement on the matter. [9430/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The terms of reference of the Limerick local government committee are set out at the end of this reply. The committee has been tasked with the preparation of a report into the most appropriate arrangements for local government for the city and county of Limerick. One of the issues which it has been asked to consider is whether there should be an adjustment between the boundary of County Clare and Limerick City or County.

Terms of Reference of the Limerick Local Government Committee

The Minister for the Environment, Heritage and Local Government hereby establishes the Limerick Local Government Committee under Section 28 of the Local Government Act 1991, hereinafter referred to as “the Committee”. The following people are hereby appointed as members of the Committee:

Denis Brosnan (Chair)

Maurice Carr

[Deputy John Gormley.]

John Cullen

Brendan Tuohy

Michelle Wilson

The Committee shall stand dissolved upon submission of their final report to the Minister for the Environment, Heritage and Local Government. In accordance with section 32 of the Local Government Act 1991, the Committee is hereby tasked with preparing a report into the most appropriate arrangements for local government for the city and county of Limerick. The report shall comprehend the leadership and the development of Limerick as a Gateway under the National Spatial Strategy and shall, in particular, include recommendations for improved arrangements including inter alia:

- Whether there should be changes made to the boundary of Limerick City, having examined the City Council's 2005 application for a boundary extension;
- Whether the County Council of Limerick and the City Council of Limerick should be unified;
- Whether alternative arrangements should be made to share/co-ordinate the functions, administration and leadership of Limerick City and County, either at county/city level or on a wider and more regional basis;
- Whether there should be an adjustment between the boundary of County Clare and Limerick City or County.

In carrying out its task the Committee shall have regard to:

- The need to ensure that Limerick city maximises its potential under the National Spatial Strategy, as a dynamic regional centre in the Mid West, recognising the importance of cities in driving regional development;
- Meeting the challenges in regenerating the city and the wider Mid West region in economic, social and physical terms, taking account of the work of the Task Force on the MidWest established by the Tánaiste and chaired by Mr. Denis Brosnan;
- The need to secure value for money in local government, taking account of the work of the Local Government Efficiency Review Group. In this regard the committee will seek data on (i) staffing changes which have occurred in Limerick City and County Councils since the 2008 boundary alteration, (ii) likely staff changes which would occur within both councils in the event of a boundary alteration, (iii) other data on staffing, usage of buildings, and other cost related issues that the committee deem it necessary to obtain from the councils;
- The fact that 44% of homes in the city council area are social housing, the need to achieve a better level of social diversity in housing across the entire urban area, and the political structure likely to deliver an improved housing mix;
- The need to ensure the delivery of an integrated public service, as set out in the Report of the Task Force on the Public Service;

- The need to ensure that the Limerick region is served by efficient and viable local government structures;
- The recommendation in the Report of the Task Force on the Public Service for the adoption of “county boundaries (or groupings of them) for the organisation, delivery and evaluation of services and programmes”;
- Traditional public loyalties to existing local government boundaries, where relevant;
- The possibility that new directly elected political leadership models will be introduced to deliver on innovative local government leadership in Limerick, having regard to the model recently agreed by Government for Dublin and noting also the commitment in the Renewed Programme for Government which proposes to strengthen the strategic role and function of regional authorities in planning transport, water and waste management;
- The recommendations of recent relevant reports and studies including: National Competitiveness Council report — *Our Cities: Drivers of National Competitiveness* (April 2009); Gateway Development Index — *Border, Midland & Western and Southern & Eastern Regional Assemblies* (2009); *Addressing issues of Social Disadvantage in Moyross and other disadvantaged areas of Limerick City — Report to the Cabinet Committee on Social Inclusion* (April 2007) — John Fitzgerald; *Gateway Investment Priorities — DEHLG and Forfás* (2006), *Atlantic Gateways — DEHLG* (2004).

The Committee shall make such recommendations with respect to the above issues as it considers necessary in the interests of effective, efficient and innovative local government. It shall prepare and furnish to the Minister a report in writing of its review and its recommendations, which the Minister will publish.

Archaeological Sites.

212. **Deputy Ulick Burke** asked the Minister for the Environment, Heritage and Local Government further to Question No. 195 of 29 April 2009, the outcome of the site inspection; and if he will make a statement on the matter. [9440/10]

213. **Deputy Ulick Burke** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the fact that following the removal of supportive ivy from the walls of a ruined church (details supplied), the exposed northern facade is leaning precariously outwards and could pose a danger to visitors to the old cemetery; and if he will make a statement on the matter. [9441/10]

214. **Deputy Ulick Burke** asked the Minister for the Environment, Heritage and Local Government the position regarding the weather damaged life sized cavalry figures formerly attached to a church (details supplied) which the local voluntary restoration committee proposes to remove for possible restoration or disposal without submitting the requisite formal notification to the national monuments section of his Department and without reference to Mayo County Council, the cemetery owner; and if he will make a statement on the matter. [9442/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I propose to take Questions Nos. 212 to 214, inclusive together.

I refer to the reply to Questions Nos. 195 and 205 of 29 April 2009. The inspection carried out by my Department in May 2009 revealed that works involving ivy removal and re-pointing

[Deputy John Gormley.]

had been undertaken since the previous inspection in 2008. The required notification under the National Monuments Acts was not received by the Department. I understand there has been no further work in the meantime. My Department is in ongoing contact with Mayo County Council, the owner of the monument, in connection with the stability of the ruin and its current condition.

Derelict Sites.

215. **Deputy Catherine Byrne** asked the Minister for the Environment, Heritage and Local Government the rules in place governing vacant private dwellings which are in bad repair and have become eyesores in our communities; the steps that will be taken to clean up such dwellings; and if he will make a statement on the matter. [9495/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Under the Derelict Sites Act 1990, local authorities are required to take all reasonable steps, including the exercise of appropriate statutory powers, to ensure that any land within their functional area does not become or continue to be a derelict site. To this end, they have been given substantial powers under the Act in relation to any such sites, including powers to require specified measures to be taken in relation to a derelict site, to impose a levy on derelict sites, or to compulsorily acquire any derelict site. I expect local authorities to use their statutory powers as they consider appropriate.

Local Authority Funding.

216. **Deputy Lucinda Creighton** asked the Minister for the Environment, Heritage and Local Government the amount of each local authority government grant allocated to every local authority in 2006 to 2008, inclusive. [9510/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The information requested, in relation to my Department's principal programmes, is set out in the following tabular statement.

| | 2006 Local Government Fund | 2007 Local Government Fund | 2008 Local Government Fund | 2006 Water Services | 2007 Water Services | 2008 Water Services | 2006 Local Authority and Social Housing** | 2007 Local Authority and Social Housing** | 2008 Local Authority and Social Housing** | 2006 Fire Services | 2007 Fire Services | 2008 Fire Services | 2006 Library Services | 2007 Library Services | 2008 Library Services |
|------------------------|-------------------------------------|-------------------------------------|-------------------------------------|---------------------------|---------------------------|---------------------------|---|---|---|--------------------------|--------------------------|--------------------------|-----------------------------|-----------------------------|-----------------------------|
| | €000 | €000 | €000 | €000 | €000 | €000 | €000 | €000 | €000 | €000 | €000 | €000 | €000 | €000 | €000 |
| <i>County Councils</i> | | | | | | | | | | 0 | 0 | 0 | | | |
| Carlow | 11,792 | 12,536 | 13,172 | 7,149 | 10,221 | 7,317 | 12,600 | 9,742 | 7,507 | 170 | 510 | 826 | 0 | 0 | 19 |
| Cavan | 18,076 | 19,527 | 20,690 | 16,703 | 16,519 | 13,652 | 6,101 | 8,896 | 13,168 | 690 | 347 | 131 | 0 | 0 | 366 |
| Clare | 14,741 | 15,672 | 16,477 | 14,776 | 6,539 | 21,231 | 17,610 | 11,816 | 19,943 | 406 | 466 | 1,464 | 178 | 782 | 108 |
| Cork | 51,555 | 54,810 | 57,369 | 13,257 | 20,505 | 36,920 | 39,931 | 24,546 | 53,975 | 0 | 539 | 2,013 | 60 | 397 | 3,972 |
| Donegal | 38,547 | 41,557 | 44,098 | 22,215 | 36,475 | 16,892 | 31,481 | 21,933 | 24,790 | 1,648 | 1,442 | 1,767 | 0 | 0 | 86 |
| Dun Laoire-Rathdown | 37,109 | 39,452 | 41,262 | 3,998 | 3,062 | 11,463 | 37,286 | 21,665 | **32951 | 0 | 13 | 0 | 0 | 0 | 0 |
| Fingal | 30,317 | 32,231 | 33,756 | 24,545 | 26,416 | 10,006 | 36,860 | 20,663 | 26,049 | 0 | 0 | 0 | 918 | 1,197 | 1,022 |
| Galway*** | 35,297 | 38,491 | 40,632 | 43,807 | 33,928 | 29,716 | 28,889 | 26,591 | 25,215 | 730 | 1,392 | 1,047 | 105 | 0 | 232 |
| Kerry | 25,498 | 27,601 | 29,140 | 10,524 | 6,671 | 12,661 | 20,495 | 17,809 | 15,869 | 1,642 | 405 | 820 | 417 | 661 | 537 |
| Kildare | 23,893 | 26,477 | 28,177 | 25,644 | 14,243 | 4,072 | 32,301 | 41,786 | 45,184 | 113 | 13 | 0 | 0 | 232 | 294 |
| Kilkenny | 19,226 | 20,828 | 22,022 | 2,377 | 1,734 | 3,705 | 21,874 | 20,293 | 22,891 | 1,407 | 1,042 | 101 | 0 | 94 | 0 |
| Laois | 17,019 | 18,336 | 19,361 | 10,038 | 25,093 | 14,385 | 22,273 | 24,478 | 22,001 | 778 | 1,245 | 1,362 | 327 | 764 | 959 |
| Leitrim | 14,169 | 15,465 | 16,333 | 5,584 | 11,589 | 10,053 | 6,580 | 5,261 | 5,683 | 866 | 203 | 68 | 15 | 0 | 49 |
| Limerick | 24,161 | 26,101 | 27,483 | 11,928 | 9,491 | 8,767 | 16,830 | 17,079 | 17,031 | 101 | 165 | 1,031 | 1,402 | 1,442 | 1,490 |
| Longford | 13,296 | 14,657 | 15,523 | 3,175 | 1,117 | 5,135 | 18,983 | 10,916 | 10,900 | 826 | 519 | 56 | 0 | 0 | 0 |
| Louth | 12,083 | 13,390 | 14,071 | 6,367 | 3,753 | 3,174 | 16,525 | 21,375 | 18,142 | | 345 | 0 | 87 | 0 | 0 |
| Mayo | 35,171 | 38,012 | 40,257 | 47,755 | 34,846 | 21,570 | 13,138 | 10,306 | 14,892 | 1,087 | 1,955 | 1,266 | 1,618 | 1,585 | 210 |
| Meath | 26,089 | 28,583 | 30,298 | 21,962 | 19,433 | 43,728 | 14,241 | 27,229 | 28,412 | 398 | 39 | 407 | 2,050 | 0 | 106 |
| Monaghan | 14,363 | 15,718 | 16,611 | 4,712 | 3,149 | 9,230 | 6,987 | 8,724 | 6,728 | | 1,052 | 755 | 0 | 2,182 | 2,472 |
| North Tipperary* | 17,775 | 19,357 | 20,481 | 9,540 | 11,226 | 8,057 | 8,805 | 6,159 | 10,163 | 368 | 1,629 | 980 | 0 | 0 | 0 |
| Offaly | 14,663 | 16,231 | 17,223 | 5,258 | 5,229 | 3,325 | 8,989 | 8,545 | 8,260 | 1,583 | 728 | 729 | 0 | 1,625 | 261 |
| Roscommon | 20,647 | 22,198 | 23,308 | 6,237 | 12,412 | 18,889 | 11,245 | 10,091 | 8,496 | 962 | 1,669 | 380 | 0 | 232 | 52 |
| Sligo | 16,617 | 17,723 | 18,732 | 9,661 | 18,279 | 7,462 | 10,791 | 9,191 | 11,674 | 106 | 60 | 495 | 0 | 0 | 113 |
| Sth Dublin | 24,639 | 26,195 | 27,396 | 1,595 | 138 | 8,491 | 59,007 | 95,511 | 43,681 | 0 | 13 | 0 | 0 | 0 | 937 |
| South Tipperary * | 21,644 | 23,697 | 25,062 | 6,016 | 2,805 | 3,381 | 11,551 | 11,533 | 14,742 | | 1,061 | 2,717 | 1,187 | 351 | 0 |
| Waterford | 20,619 | 22,848 | 24,259 | 11,612 | 12,238 | 4,676 | 11,681 | 12,286 | **10500 | 622 | 164 | 294 | 90 | 0 | 0 |
| Westmeath | 19,562 | 21,388 | 22,712 | 3,771 | 4,974 | 12,651 | 14,181 | 16,498 | 14,334 | 37 | 397 | 445 | 0 | 245 | 0 |
| Wexford | 20,163 | 22,172 | 23,426 | 10,489 | 7,879 | 15,982 | 18,575 | 19,687 | 22,809 | 1,402 | 1,837 | 280 | 50 | 900 | 63 |
| Wicklow | 18,791 | 20,291 | 21,975 | 7,917 | 12,354 | 19,578 | 27,142 | 24,115 | 20,567 | 290 | 290 | 132 | 484 | 322 | 96 |

| | 2006 Local Government Fund | 2007 Local Government Fund | 2008 Local Government Fund | 2006 Water Services | 2007 Water Services | 2008 Water Services | 2006 Local Authoity and Social Housing** | 2007 Local Authoity and Social Housing** | 2008 Local Authoity and Social Housing** | 2006 Fire Services | 2007 Fire Services | 2008 Fire Services | 2006 Library Services | 2007 Library Services | 2008 Library Services |
|-------------------------|-------------------------------------|-------------------------------------|-------------------------------------|---------------------------|---------------------------|---------------------------|--|--|--|--------------------------|--------------------------|--------------------------|-----------------------------|-----------------------------|-----------------------------|
| | €000 | €000 | €000 | €000 | €000 | €000 | €000 | €000 | €000 | €000 | €000 | €000 | €000 | €000 | €000 |
| <i>City Councils</i> | | | | | | | | | | | | | | | |
| Cork | 24,268 | 26,892 | 28,384 | 15,183 | 1,967 | 1,158 | 112,712 | 81,403 | **93528 | 1,677 | 141 | 298 | 921 | 1,368 | 601 |
| Dublin | 93,847 | 100,311 | 105,040 | 28,407 | 54,319 | 73,834 | 140,331 | 121,102 | **240173 | 682 | 1,205 | 1,803 | 0 | 0 | 0 |
| Galway*** | 8,766 | 9,358 | 9,796 | 6,357 | 910 | 657 | 19,280 | 33,562 | 30,161 | 0 | 0 | 0 | 0 | 0 | 0 |
| Limerick | 11,025 | 11,721 | 12,259 | 30,206 | 36,255 | 22,398 | 8,629 | 26,226 | **35811 | 260 | 251 | 531 | 1,048 | 1,103 | 110 |
| Waterford | 8,030 | 8,537 | 8,942 | 10,585 | 19,858 | 9,966 | 32,180 | 29,559 | **34803 | 38 | 8 | 0 | 84 | 285 | 31 |
| <i>Borough Councils</i> | | | | | | | | | | | | | | | |
| Clonmel | 3,247 | 3,454 | 3,640 | 52 | 0 | 0 | 2,269 | 3,250 | 2,500 | 0 | 0 | 0 | 0 | 0 | 0 |
| Drogheda | 4,525 | 4,947 | 5,191 | 2,774 | 0 | 569 | 14,094 | 13,551 | 12,379 | 980 | 2,519 | 1,743 | 0 | 0 | 0 |
| Kilkenny | 1,883 | 2,002 | 2,098 | 0 | 0 | 0 | 4,636 | 6,247 | 3,808 | 0 | 0 | 0 | 0 | 0 | 0 |
| Sligo | 3,138 | 3,336 | 3,489 | 107 | 0 | 0 | 9,328 | 18,423 | **24176 | 0 | 0 | 0 | 0 | 0 | 0 |
| Wexford | 2,321 | 2,467 | 2,606 | 1,058 | 0 | 0 | 5,245 | 5,065 | 4,134 | 0 | 0 | 0 | 0 | 0 | 0 |
| <i>Town Councils</i> | | | | | | | | | | | | | | | |
| Ardee | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arklow | 1,540 | 1,706 | 1,801 | 0 | 0 | 0 | 0 | 739 | 1,869 | 0 | 0 | 0 | 0 | 0 | 0 |
| Athlone | 1,911 | 2,032 | 2,127 | 0 | 2,918 | 0 | 984 | 2,830 | 2,327 | 0 | 398 | 0 | 0 | 0 | 0 |
| Athy | 714 | 778 | 842 | 0 | 0 | 0 | 1,848 | 1,860 | 5,527 | 0 | 0 | 0 | 0 | 0 | 0 |
| Balbriggan | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Ballina | 1,529 | 1,677 | 1,794 | 0 | 0 | 0 | 625 | 307 | 1,119 | 0 | 0 | 0 | 0 | 0 | 0 |
| Ballinasloe | 903 | 964 | 1,015 | 0 | 0 | 0 | 571 | 241 | 1,992 | 0 | 0 | 0 | 0 | 0 | 0 |
| Ballybay | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Ballyshannon | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Bandon | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Bantry | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Belturbet | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Birr | 788 | 847 | 901 | 0 | 0 | 0 | 2,898 | 3,557 | 2,435 | 0 | 0 | 0 | 0 | 0 | 0 |
| Boyle | 0 | 0 | 0 | 0 | 0 | 0 | 70 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Bray | 4,376 | 4,778 | 5,017 | 0 | 0 | 0 | 6,058 | 2,060 | 8,020 | 0 | 0 | 0 | 0 | 0 | 0 |
| Buncrana | 889 | 945 | 1,088 | 0 | 0 | 0 | 5,370 | 735 | 1,921 | 0 | 0 | 0 | 0 | 0 | 0 |
| Bundoran | 600 | 638 | 667 | 0 | 0 | 0 | 784 | 508 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Carlow | 1,822 | 1,937 | 2,030 | 0 | 0 | 0 | 7,943 | 4,702 | 4,065 | 0 | 0 | 0 | 0 | 0 | 0 |
| Carrickmacross | 572 | 629 | 668 | 0 | 0 | 0 | 627 | 588 | 988 | 0 | 0 | 0 | 0 | 0 | 0 |
| Ck-on-Suir | 1,093 | 1,211 | 1,281 | 0 | 0 | 0 | 1,579 | 2,403 | 2,057 | 0 | 0 | 0 | 0 | 0 | 0 |

| | 2006 Local Government Fund | 2007 Local Government Fund | 2008 Local Government Fund | 2006 Water Services | 2007 Water Services | 2008 Water Services | 2006 Local Authoity and Social Housing** | 2007 Local Authoity and Social Housing** | 2008 Local Authoity and Social Housing** | 2006 Fire Services | 2007 Fire Services | 2008 Fire Services | 2006 Library Services | 2007 Library Services | 2008 Library Services |
|-------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|---------------------------|---------------------------|---------------------------|--|--|--|--------------------------|--------------------------|--------------------------|-----------------------------|-----------------------------|-----------------------------|
| | €000 | €000 | €000 | €000 | €000 | €000 | €000 | €000 | €000 | €000 | €000 | €000 | €000 | €000 | €000 |
| <i>Town Councils – contd.</i> | | | | | | | | | | 0 | 0 | 0 | | | |
| Cashel | 668 | 718 | 756 | 0 | 0 | 0 | 1,750 | 1,754 | 500 | 0 | 0 | 0 | 0 | 0 | 0 |
| Castlebar | 1,036 | 1,101 | 1,152 | 0 | 0 | 0 | 200 | 2,355 | 3,850 | 0 | 0 | 0 | 0 | 0 | 0 |
| Castleblayney | 479 | 511 | 547 | 0 | 0 | 0 | 1,022 | 0 | 997 | 0 | 0 | 0 | 0 | 0 | 0 |
| Cavan | 859 | 913 | 959 | 0 | 0 | 0 | 1,911 | 2,051 | 2,909 | 0 | 0 | 0 | 0 | 0 | 0 |
| Ceannanas | 0 | 0 | 0 | 0 | 0 | 0 | 9 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Clonakilty | 623 | 662 | 694 | 0 | 0 | 0 | 2,509 | 2,352 | 1,439 | 0 | 0 | 0 | 0 | 0 | 0 |
| Clones | 548 | 607 | 641 | 0 | 0 | 0 | 433 | 2,068 | 2,000 | 0 | 0 | 0 | 0 | 0 | 0 |
| Cobh | 1,232 | 1,328 | 1,391 | 0 | 0 | 0 | 1,264 | 37,289 | 1,250 | 0 | 0 | 0 | 0 | 0 | 0 |
| Cootehill | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Droichead Nua | 0 | 0 | 0 | 0 | 0 | 0 | 4 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Dundalk | 5,236 | 5,600 | 5,865 | 324 | 6,000 | 0 | 9,319 | 5,688 | **8200 | 0 | 0 | 12 | 0 | 0 | 0 |
| Dungarvan | 1,036 | 1,101 | 1,152 | 0 | 0 | 0 | 6,489 | 3,293 | 2,013 | 0 | 0 | 0 | 0 | 0 | 0 |
| Edenderry | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Ennis | 2,430 | 2,583 | 2,730 | 111 | 415 | 150 | 220 | 5,191 | 4,555 | 0 | 0 | 0 | 0 | 0 | 0 |
| Enniscorthy | 1,232 | 1,310 | 1,372 | 0 | 0 | 0 | 3,601 | 4,871 | 3,856 | 0 | 0 | 0 | 0 | 0 | 0 |
| Fermoy | 862 | 916 | 966 | 0 | 283 | 0 | 885 | 1,139 | 1,858 | 0 | 0 | 0 | 0 | 0 | 0 |
| Gorey | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Granard | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Greystones | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Kilkee | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Kells | 493 | 528 | 557 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Killarney | 1,786 | 1,942 | 2,055 | 0 | 0 | 0 | 0 | 3,155 | 2,750 | 0 | 0 | 0 | 0 | 0 | 0 |
| Kilrush | 620 | 676 | 714 | 0 | 0 | 0 | 502 | 1,439 | 3,623 | 0 | 0 | 0 | 0 | 0 | 0 |
| Kinsale | 419 | 445 | 466 | 0 | 0 | 0 | 0 | 1,252 | 752 | 0 | 0 | 0 | 0 | 0 | 0 |
| Leixlip | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Letterkenny | 1,175 | 1,249 | 1,306 | 0 | 0 | 0 | 8,301 | 4,992 | 5,000 | 0 | 0 | 0 | 0 | 0 | 0 |
| Lismore | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Listowel | 780 | 841 | 882 | 0 | 11 | 0 | 791 | 1,289 | 1,162 | 0 | 0 | 0 | 0 | 0 | 0 |
| Longford | 1,231 | 1,309 | 1,369 | 0 | 0 | 0 | 1,697 | 5,700 | 5,600 | 0 | 0 | 0 | 0 | 0 | 0 |
| Loughrea | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Macroom | 617 | 656 | 696 | 0 | 0 | 0 | 864 | 791 | 1,500 | 0 | 0 | 0 | 0 | 0 | 0 |
| Mallow | 1,106 | 1,175 | 1,250 | 0 | 0 | 0 | 847 | 1,500 | 2,105 | 0 | 0 | 0 | 0 | 0 | 0 |

| | 2006 | 2007 | 2008 | 2006 | 2007 | 2008 | 2006 | 2007 | 2008 | 2006 | 2007 | 2008 | 2006 | 2007 | 2008 |
|-------------------------------|-----------------------|-----------------------|-----------------------|----------------|----------------|----------------|--------------------------------------|--------------------------------------|--------------------------------------|---------------|---------------|---------------|------------------|------------------|------------------|
| | Local Government Fund | Local Government Fund | Local Government Fund | Water Services | Water Services | Water Services | Local Authority and Social Housing** | Local Authority and Social Housing** | Local Authority and Social Housing** | Fire Services | Fire Services | Fire Services | Library Services | Library Services | Library Services |
| | €000 | €000 | €000 | €000 | €000 | €000 | €000 | €000 | €000 | €000 | €000 | €000 | €000 | €000 | €000 |
| <i>Town Councils – contd.</i> | | | | | | | | | | 0 | 0 | 0 | | | |
| Midleton | 566 | 602 | 633 | 0 | 0 | 0 | | 272 | 1,035 | 0 | 0 | 0 | 0 | 0 | 0 |
| Monaghan | 1,182 | 1,257 | 1,315 | 0 | 0 | 0 | 2,037 | 3,445 | 3,715 | 0 | 0 | 0 | 0 | 0 | 0 |
| Mountmellick | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Muinebheag | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Mullingar | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Naas | 1,422 | 1,512 | 1,626 | 0 | 0 | 0 | 455 | 0 | 2,199 | 0 | 0 | 0 | 0 | 0 | 0 |
| Navan | 573 | 616 | 645 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Nenagh | 1,117 | 1,198 | 1,264 | 0 | 0 | 56 | 60 | 1,848 | 2,595 | 0 | 0 | 0 | 0 | 0 | 0 |
| New Ross | 973 | 1,033 | 1,089 | 0 | 0 | 0 | 2,336 | 5,365 | 4,234 | 0 | 0 | 0 | 0 | 0 | 0 |
| Passage West | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Shannon | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Skibbereen | 450 | 479 | 501 | 0 | 0 | 0 | 1,366 | 945 | 1,250 | 0 | 0 | 0 | 0 | 0 | 0 |
| Templemore | 625 | 688 | 727 | 0 | 0 | 15 | 588 | 368 | 1,500 | 0 | 0 | 0 | 0 | 0 | 0 |
| Thurles | 989 | 1,069 | 1,123 | 0 | 0 | 0 | 554 | 1,520 | 2,000 | 0 | 0 | 0 | 0 | 0 | 0 |
| Tipperary | 863 | 917 | 964 | 0 | 0 | 0 | 4,118 | 3,605 | 2,832 | 0 | 0 | 0 | 0 | 0 | 0 |
| Tralee | 3,276 | 3,483 | 3,642 | 0 | 38 | 0 | 8,376 | 11,340 | 11,500 | 0 | 0 | 0 | 0 | 0 | 0 |
| Tramore | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Trim | 569 | 615 | 645 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Tuam | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Tullamore | 1,319 | 1,402 | 1,470 | 0 | 0 | 0 | 5,111 | 8,700 | 7,811 | 0 | 0 | 0 | 0 | 0 | 0 |
| Westport | 858 | 912 | 954 | 0 | 0 | 0 | 1,478 | 2,571 | 2,250 | 0 | 0 | 0 | 0 | 0 | 0 |
| Wicklow | 1,635 | 1,738 | 1,825 | 0 | 0 | 0 | 0 | 1,735 | 2,500 | 0 | 0 | 0 | 0 | 0 | 0 |
| Youghal | 1,159 | 1,232 | 1,290 | 0 | 0 | 140 | 1,572 | 1,527 | 1,635 | 0 | 0 | 0 | 0 | 0 | 0 |

*North and South Tipperary figures combined for purposes of Library Services.

***Galway City and County combined for purposes of Library Services.

**Includes expenditure on the main elements of the Housing Capital Programme (construction, acquisition, regeneration, travellers).

**Dublin City Allocation for 2008 includes €80.7m for Regeneration.

**DLR Allocation for 2008 includes €2.5m for Regeneration.

**Limerick City Council Allocation for 2008 includes €10.8m for Regeneration.

**Dundalk TC Allocation for 2008 includes €7m for Regeneration.

**Sligo BC Allocation for 2008 includes €5.1m for Regeneration.

**Waterford CC Allocation for 2008 includes €11.7m for Regeneration.

**Cork CC Allocation for 2008 includes €13.7m for Regeneration.

Water and Sewerage Schemes.

217. **Deputy Jack Wall** asked the Minister for the Environment, Heritage and Local Government the grants available for the maintenance of private water pumps and wells; if assistance is available for the provision of a new system; and if he will make a statement on the matter. [9641/10]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): Under the Rural Water Programme, grant aid of €2,031.58 per house or 75% of the approved cost, whichever is the lesser, is available for the provision or necessary improvement of an individual water supply to a house that does not have access to either a public or group water scheme supply.

Responsibility for the administration of the Rural Water Programme was devolved to local authorities in 1997. Under the devolved arrangements, the approval and payment of grants is a matter for the relevant local authority.

Post Office Network.

218. **Deputy Billy Timmins** asked the Minister for Communications, Energy and Natural Resources the position regarding a post office (details supplied) in County Wicklow; and if he will make a statement on the matter. [9629/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): I regret to advise the Deputy that due to industrial action it is not possible to deal with his question.

219. **Deputy Billy Timmins** asked the Minister for Communications, Energy and Natural Resources the position regarding a matter (details supplied). [9630/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): I regret to advise the Deputy that due to industrial action it is not possible to deal with his question.

Rural Environment Protection Scheme.

220. **Deputy Phil Hogan** asked the Minister for Agriculture, Fisheries and Food when a REP scheme payment will be awarded in respect of a person (details supplied) in County Kilkenny; and if he will make a statement on the matter. [9361/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Due to industrial Action by staff in my Department, I am not in a position to provide a reply to this question.

Special Educational Needs.

221. **Deputy Brian Hayes** asked the Minister for Education and Science the number of special needs assistants that have been withdrawn from classrooms to date in 2010 as part of the national review of special needs assistants; and if he will make a statement on the matter. [9353/10]

Minister for Education and Science (Deputy Batt O'Keeffe): The Deputy will be aware that the National Council for Special Education (NCSE), through its network of Special Educational Needs Organisers (SENOS), is at present carrying out a review of Special Needs Assistant (SNA) allocations in all schools. The purpose of this review is to ensure that all SNA posts

[Deputy Batt O’Keeffe.]

meet the criteria governing the allocation of such posts, as outlined in my Department’s Circular 07/02.

As part of this review, the NCSE will identify and suppress any surplus posts which do not meet the scheme’s criteria — for example, posts that have been retained when a pupil’s care needs have diminished or when the pupil has left.

The allocation for any school, and any adjustments to that allocation, depends on a number of factors such as the number of pupils with care/medical needs leaving, the number of new pupils, the changing needs of the pupils and any surplus identified. Furthermore, schools can make applications at any time with the result that the individual situation of any school can change and allocations are not static for a school year in the same way as are, for example, classroom teaching posts. The NCSE is independent in the making and issuing of its decisions relating to SNA allocations. SENOs are communicating the outcome of the review directly to schools as the review progresses.

The NCSE has advised that the review will be completed by end March 2010. I will be glad to advise the Deputy of the outcome of the review once it is complete.

I wish to assure the Deputy that SNA support will continue to be made available to schools which have enrolled pupils who qualify for such support.

222. Deputy Brian Hayes asked the Minister for Education and Science if he has received a report from the National Council for Special Education on the matter of special needs provision in schools; when he plans to publish this report; and if he will make a statement on the matter. [9354/10]

Minister for Education and Science (Deputy Batt O’Keeffe): I assume the Deputy is referring to the review of special schools and special classes being undertaken by the National Council for Special Education (NCSE). I understand that the NCSE expects to be in a position shortly to send me a copy of the research it has commissioned concerning the role of special schools and special classes. The NCSE proposes to publish this research on its website in the near future.

While the NCSE has funded this research, it states clearly on its website, and the final research item will state, that the views and opinions contained in such research reports are those of the authors and do not necessarily reflect the views or opinions of the NCSE.

This research may be one of a number of many strands of evidence to be considered by the NCSE when formulating its position in relation to special schools and special classes. Ultimately, it is expected that advice received from the NCSE will assist my Department with policy formulation in relation to the role of special schools and special classes.

I look forward to receiving the research from the NCSE.

223. Deputy Brian Hayes asked the Minister for Education and Science the additional special needs resources provided to each of the schools which had special classes for children with mild general learning disabilities abolished in 2009, in tabular form; the resources that allocated to each school following the abolition of their special classes; and if he will make a statement on the matter. [9355/10]

Minister for Education and Science (Deputy Batt O’Keeffe): I assume that the Deputy is referring to my Department’s decision last year to close a number of special classes for pupils with a mild general learning disability (MGLD).

I would like to assure the Deputy that there will be no pupil with a special educational need who will be without access to a special needs teacher as a result of the decision to apply the normal rules which govern the appointment and retention of teachers of special classes for pupils with a MGLD. All primary schools have been allocated learning support/resource teaching support through the General Allocation Model specifically to support pupils with a high incidence special educational need, including MGLD.

The specific information requested by the Deputy with respect to pupils with a MGLD is not available as schools decide themselves how best to use this allocation based on the needs of the pupils and how to adjust their support in line with the changing needs of pupils as they mature.

Some schools advised that a number of pupils with a low incidence special educational need were enrolled in these classes. My Department advised these schools to apply to the National Council for Special Education (NCSE) for additional resource teaching hours for the pupils concerned. I have forwarded the Deputy's question to the NCSE for their attention and direct reply.

Strategic Innovation Fund.

224. **Deputy Joan Burton** asked the Minister for Education and Science if he will report on the distribution of funds under the strategic innovation fund announced in December 2005; the amount of the originally promised €300 million for 2006-2010 that has been spent; the sums actually spent in 2006, 2007, 2008, 2009; the amount that will be spent in 2010; and the amount that has been allocated to the universities of the Irish University Association and to the Institutes of Technology.. [9368/10]

225. **Deputy Joan Burton** asked the Minister for Education and Science his views on the recommendations of the Special Group on Public Service Numbers and Expenditure Programmes on the future of the strategic innovation fund for third level education. [9369/10]

Minister for Education and Science (Deputy Batt O'Keeffe): I propose to take Questions Nos. 224 and 225 together.

The Strategic Innovation Fund (SIF) was established in 2006 with a major emphasis on promoting inter-institutional collaboration in bringing about substantial change and quality improvement within the Irish higher education system. Projects approved under the Fund are aimed at institutional reform, enhancing teaching and learning, improving access and life long learning and enabling the development of fourth level activity. The original allocation of €300 million was increased to €510 million and the funding period extended under the current NDP to 2013.

There have been two cycles of funding approved under the SIF to date. Cycle 1 was approved in October 2006 with an allocation of €42.3 million and Cycle 2 was approved in February 2008 with an allocation of €101.3 million.

I have set out below, for the information of the Deputy, the funding that was approved by my Department to the lead institutions under cycles 1 and 2. Of the €143.6 million awarded in total, €100.2 million was awarded to projects where the lead institution is in the university sector, while €43.4 million was awarded to projects where the lead institution is in the institute of technology sector. It should be noted that the majority of projects funded involve more than one institution.

Some €58 million has issued to institutions to date — €15 million in 2006, €16 million in 2008 and €27 million in 2009. The allocation for the programme in 2010 is €18 million. The 2010

[Deputy Batt O’Keeffe.]

Budget required difficult choices to be made across all areas of public expenditure, including the SIF programme. These decisions, which took into account the recommendations of the Special Group on Public Service Numbers and Expenditure Programmes, were made to control public expenditure and to ensure sustainability in the long run.

The Higher Education Authority, who manage the programme on behalf of my Department, have recently commissioned an independent review of the programme and this will inform future funding decisions. The HEA will be in contact with institutions in this regard over the coming weeks.

List of Strategic Innovation Fund Cycle I projects by Lead Institution

| Lead Institution | SIF Cycle I funding by Lead Institution |
|--|---|
| | € |
| NUI Galway — NUIG | 7,300,000 |
| University of Limerick — UL | 9,600,000 |
| Athlone Institute of Technology — AIT | 900,000 |
| Irish Universities Association — IUA | 3,450,000 |
| Council of Directors of Institutes of Technology | 3,800,000 |
| Cork Institute of Technology — CIT | 2,600,000 |
| Galway Mayo Institute of Technology — GMIT | 400,000 |
| Institute of Technology Tallaght — IT Tallaght | 2,000,000 |
| Institute of Technology Sligo — ITS | 295,000 |
| NUI Maynooth — NUIM | 1,535,000 |
| Trinity College Dublin — TCD | 2,700,000 |
| University College Cork — UCC | 5,700,000 |
| Limerick Institute of Technology — <i>LIT</i> | 100,000 |
| UCD | 1,900,000 |
| Total | 42,280,000 |

List of Strategic Innovation Fund Cycle II projects by Lead Institution

| Lead Institution | SIF Cycle II funding by Lead Institution |
|--|--|
| | € |
| Athlone Institute of Technology — AIT | 238,000 |
| Cork Institute of Technology — CIT | 4,205,000 |
| Dublin City University — DCU | 21,640,000 |
| Dublin Institute of Technology — DIT | 8,609,000 |
| Dundalk Institute of Technology — DKIT | 1,988,000 |
| Galway Mayo Institute of Technology — GMIT | 2,049,000 |
| Institute of Technology, Blanchardstown | 515,000 |
| Institute of Technology, Carlow | 2,039,000 |
| Institutes of Technology Sector facilitated by Institutes of Technology Ireland — IoTI | 9,961,000 |
| University Sector facilitated by the Irish Universities Association — IUA | 5,459,000 |
| Letterkenny Institute of Technology — LYIT | 893,000 |
| Limerick Institute of Technology — LIT | 868,000 |

| Lead Institution | SIF Cycle II funding by Lead Institution |
|---|--|
| | € |
| National University of Ireland, Galway — NUIG | 1,234,000 |
| NUI Maynooth — NUIM | 320,000 |
| Trinity College, Dublin — TCD | 4,919,000 |
| University College Cork — UCC | 6,713,000 |
| University College Dublin — UCD | 15,276,000 |
| University of Limerick — UL | 12,500,000 |
| Waterford Institute of Technology — WIT | 1,903,000 |
| | 101,330,000 |

Higher Education.

226. **Deputy Joan Burton** asked the Minister for Education and Science when he expects to receive the report of the Hunt Committee on Higher Education, originally due in late 2009. [9370/10]

Minister for Education and Science (Deputy Batt O’Keeffe): As the Deputy is aware, I have established a High Level Group to develop a new national strategy for higher education, which is examining how well Ireland’s higher education system is performing, how it ranks internationally, how well existing resources are being used and how the system should be configured to best meet the many challenges it faces over the next decade having regard to the key role it has to play in contributing to Ireland’s economic recovery.

A first round of consultation was completed in summer 2009, under which an open call for written submissions elicited a significant and valuable response. In addition to this first round of consultation, a series of discussion forums with academics, students, enterprise as well as bilateral meetings with other stakeholders, including the institutions, have been held. The outcomes of these consultations and other ongoing discussions are feeding into the current deliberations of the Strategy Group who are expected to finalise their report before the summer.

School Accommodation.

227. **Deputy Finian McGrath** asked the Minister for Education and Science if he will support a matter (details supplied). [9391/10]

Minister for Education and Science (Deputy Batt O’Keeffe): The school to which the Deputy refers is included in my announcement of 16 February of projects to progress to tender and construction. The official name of the school (Scoil Naomh Eoin Baiste — Buachaillí Snr) is used in my announcement under the school’s roll number 17936F. This project also includes the extension and refurbishment of the junior boys school, Eoin Baiste — Buachaillí Sois, under its roll number of 19006Q.

Departmental Correspondence.

228. **Deputy Finian McGrath** asked the Minister for Education and Science his views on correspondence (details supplied). [9392/10]

Minister for Education and Science (Deputy Batt O’Keeffe): Under national and EU procurement rules, companies from other Member States are entitled to tender for public compe-

[Deputy Batt O’Keeffe.]

titions in Ireland. Similar protections apply for Irish companies seeking to tender for public competitions in other Member States.

Pupil-Teacher Ratio.

229. **Deputy Terence Flanagan** asked the Minister for Education and Science if he will respond to a query (details supplied); and if he will make a statement on the matter. [9412/10]

Minister for Education and Science (Deputy Batt O’Keeffe): The primary staffing schedule is currently structured to ensure that all primary schools operate to an average mainstream class size of 28 pupils. While the staffing schedule allocates on the basis of an average number of pupils each individual school decides on how to arrange its classes. In terms of class sizes 80% of primary pupils were in classes of less than 30 pupils during the last school year. With over 20,000 individual classes spread across all schools throughout the country there will inevitably be differences in individual class sizes. Some schools can have class sizes of greater than 28 but this is often because of a local decision by a school to use its teaching resources in order to have smaller numbers in other classes.

The renewed Programme for Government commits the Government to no further increase in pupil teacher ratio in primary and second level schools over the lifetime of the Government and provides for 500 teaching posts to schools over the next three years over and above additional posts that will arise due to demographic increases.

One hundred posts have been allocated to each sector, primary and post-primary in the current school year. At primary level posts have been allocated to schools that had increased enrolments in the current school year and which, as a result of last year’s pupil-teacher ratio change, lost out on a teaching post in this year by either one, two or three pupils. My Department has contacted the schools in question and in the interest of transparency the list of schools has also been published on my Department’s website.

The list will be fully completed when the 30 September 2009 enrolment returns are received from the remaining schools that have not yet submitted them to my Department.

Agreement has also been reached on the allocation of 50 additional posts to the primary sector and 100 to the post-primary sector for the coming school year, 2010/11. At primary level as these posts are additional to those required to cater for demographic growth, some improvement will be made to the staffing schedule for the 2010/11 school year. These improvements will be targeted at medium-to-larger schools typically under the greatest pressure in relation to class sizes.

Schools Building Projects.

230. **Deputy Joanna Tuffy** asked the Minister for Education and Science the schools that were built in 2006, 2007 and 2008; the locations of same; if they have a rain harvesting system in place; and if he will make a statement on the matter. [9413/10]

Minister for Education and Science (Deputy Batt O’Keeffe): The information sought by the Deputy is detailed in the following table:

Large Scale Primary Extensions/Refurbishments completed 2006-2008

| County | Roll No | School | Year | Rainwater recovery units Yes/No |
|-----------|---------|--|------|---------------------------------|
| Carlow | 14837L | SN Peadar agus Pol Ballon Carlow | 2008 | No |
| Cavan | 11541V | Dromaili SN Cavan | 2008 | No |
| Cork | 18279A | Carrigaline 3 NS Carragline | 2008 | No |
| Donegal | 19553W | Dungloe Central | 2008 | No |
| Dublin | 19015R | St. Joseph's Girls National School, Finglas, Dublin 11 | 2008 | No |
| Dublin | 19769W | Scoil Thomais Laurel Lodge, Castleknock | 2008 | No |
| Dublin | 19945Q | Rathfarnham Educate Together Loreto Avenue | 2008 | No |
| Dublin | 20091R | St Peters NS Phibsboro | 2008 | No |
| Galway | 17198S | SN Muire Gan Smal | 2008 | No |
| Galway | 17485C | Briarhill NS | 2008 | No |
| Galway | 17771W | Lisheenkyle NS | 2008 | No |
| Galway | 20115F | Scoil Einne, Spiddeal | 2008 | No |
| Kerry | 19548G | Nano Nagle NS Lixnaw | 2008 | No |
| Kildare | 08099P | St Laurence's NS, Sallins | 2008 | No |
| Kilkenny | 15340I | Carrigeen NS | 2008 | No |
| Laois | 16617H | Ballyadams NS | 2008 | No |
| Laois | 20118L | Scoil Bhríde Clonaslee | 2008 | No |
| Leitrim | 20203C | Mohill NS | 2008 | No |
| Louth | 17124M | Ardee Monastery | 2008 | No |
| Mayo | 19916J | St Peter's NS | 2008 | No |
| Offaly | 11203B | St Kieran's NS, Clareen | 2008 | No |
| Tipperary | 18207V | SN Baile an Atha | 2008 | No |
| Waterford | 13635R | Ballyduff NS, Kilmeaden | 2008 | No |
| Waterford | 18462O | Scoil Lorcaín | 2008 | No |
| Waterford | 19539F | St. Pauls Junior School, Lisduggan | 2008 | No |
| Waterford | 19853L | Gaelscoil Portláirge | 2008 | No |
| Wexford | 14254K | SN Mhuire, Danescastle | 2008 | No |
| Wexford | 16145P | Loreto Primary School Gorey | 2008 | No |
| Wexford | 19739N | Scoil Mhuire Coolcotts | 2008 | No |
| Carlow | 18615N | SN Ceartarlach Green Road | 2007 | No |
| Carlow | 19315G | St Lasarians Special School | 2007 | No |
| Clare | 04548V | Clonlara | 2007 | No |
| Clare | 17026M | Clarecastle BNS | 2007 | No |
| Cork | 07242M | Cloghroe Mxd Blarney | 2007 | No |
| Donegal | 17018N | Scoil Phadraig, Dobhar | 2007 | No |
| Donegal | 19411C | SN Baile Raighin, Letterkenny | 2007 | No |
| Dublin | 13612F | Presentation Convent | 2007 | No |
| Dublin | 19320W | Our Lady of Good Counsel Boys NS Johnstown | 2007 | No |
| Dublin | 19500B | Phoenix Park Spec Sch | 2007 | No |
| Dublin | 19613O | Scoil Cnoc Mhuire Sin Knockmore Ave Dublin 24 | 2007 | No |
| Dublin | 19646G | Scoil Santain Bothar na Habhann Mor Tallaght | 2007 | No |
| Galway | 17631G | Ceathru na nGarrdhanta Tuam | 2007 | No |
| Kerry | 10050U | St. Gertrudes NS Scairt Liath | 2007 | No |
| Kildare | 13328I | St. Patrick's NS, Newbridge, Co. Kildare | 2007 | No |

[Deputy Batt O’Keeffe.]

| County | Roll No | School | Year | Rainwater recovery units Yes/No |
|-----------|---------|--|------|---------------------------------|
| Kilkenny | 17905T | Scoil Naisiunta Tobair Eoin | 2007 | No |
| Laois | 18641O | SN Naomh Eoin Killenard Portarlinton | 2007 | No |
| Limerick | 06936R | St. John’s Convent, Cathedral Place | 2007 | No |
| Mayo | 18542M | St. Patrick’s, Castlebar | 2007 | No |
| Offaly | 17056V | Rahan | 2007 | No |
| Offaly | 17540D | SN Mhanachain an Tobar Tubber | 2007 | No |
| Offaly | 18690E | Scoil Bhride, An Cruachan, Rhode | 2007 | No |
| Waterford | 17351A | SN Mhuire Baile Mhic Gonair | 2007 | No |
| Wexford | 14492D | Curraclloe NS | 2007 | No |
| Wexford | 17235V | SN Chaomhain Torrchoill Gorey | 2007 | No |
| Clare | 19414I | St Anne’s, Corrovorrin, Ennis, Clare | 2006 | No |
| Cork | 12015F | Liscarroll N.S., Mallow, Co Cork | 2006 | No |
| Cork | 17602W | SN Naomh Lachtin, Domhnach Mor, Co Chorcaí | 2006 | No |
| Donegal | 17607J | SN Seiseadh Ui Neill, Ballybofey, Co Donegal | 2006 | No |
| Dublin | 19755L | Sacred Heart N.S., Huntstown, Dublin 15 | 2006 | No |
| Galway | 17154 V | SN Breandain Naofa, Mullaigh Gort Ui Mhaidan, Baile Locha Riabhach | 2006 | No |
| Galway | 17242S | SN Pairc na Slinne, Magh Clas, Baile Locha Riach | 2006 | No |
| Galway | 17331R | SN An Droma, Ballinakill, Loughrea | 2006 | No |
| Kildare | 15456E | Ballyshannon NS, Ballyshannon, Kilcullen, Co Kildare | 2006 | No |
| Kildare | 16777G | SN Naomh Mhuire, Donadea, Naas | 2006 | No |
| Kildare | 18093J | SN Cloch Rinnce, Cloch rinnce, Magh Bhealaigh | 2006 | No |
| Kildare | 18430B | SN Baile Roibeaird, Baile Riobearid, Nas na Rí | 2006 | No |
| Kildare | 18515J | Prosperous N.S., Naas | 2006 | No |
| Limerick | 12631E | Pallaskenry N.S. Co Limerick | 2006 | No |
| Limerick | 14409N | Scoil Neassain, Mungret, Limerick | 2006 | No |
| Limerick | 17101A | Scoil Cre Cumhra, Patrick’s Well, Co Limerick | 2006 | No |
| Limerick | 18516L | SN lios Na Groi, Lisagry, Co Limerick | 2006 | No |
| Mayo | 13781F | Breaffy N.S., Castlebar, Co Mayo | 2006 | No |
| Meath | 16825O | Kilbride N.S., Clonee, Co Meath | 2006 | No |
| Meath | 17930Q | SN Seachnail Naofa, Dunshaughlin, Co Meath | 2006 | No |
| Offaly | 16620T | Daingean N.S., Daingean, Co Offaly | 2006 | No |
| Tipperary | 15560W | Ballinree N.S. Nenagh, Co Tipperary | 2006 | No |
| Westmeath | 08037Q | Tang N.S., Tang, Ballymahon, Co Longford. | 2006 | No |
| Westmeath | 15307K | Dalystown N.S., Dalystown, Mullingar, Co Westmeath | 2006 | No |
| Wicklow | 12554M | Greystones N.S., Greystones, Co Wicklow | 2006 | No |
| Wicklow | 13246G | Moneytown N.S., Moneytown, Bray, Co Wicklow | 2006 | No |
| Cork | 08430S | Scoil Naomh Seosamh, Skibbereen | 2006 | No |
| Cork | 13661S | Dunmanway Con | 2006 | No |
| Dublin | 16893I | SN Naomh Lorcan, Stillorgan | 2006 | No |
| Dublin | 19556F | St Kilians Junior N.S., Castlevew, D24 | 2006 | No |
| Dublin | 19893A | St Kilians Senior N.S., Castlevew, D24 | 2006 | No |
| Dublin | 19940G | Gaelscoil Naomh Padriag, Lucan | 2006 | No |
| Donegal | 16349I | SN An Droim Mor, Killygordon | 2006 | No |
| Kerry | 08791E | Lisvigeen Mixed NS, Killarney | 2006 | No |

New Primary Schools completed 2006-2008

| County | Roll No. | School | Year | Rainwater recovery units Yes/No |
|-----------|----------|---|------|---------------------------------|
| Cavan | 19983B | St Clares NS Ballyjamesduff | 2008 | No |
| Cork | 19433M | Holy Family SS, Charleville | 2008 | No |
| Cork | 20204E | Kilworth NS, Cork | 2008 | No |
| Donegal | 17036P | SN Naomh Colmchille Killmacrennan | 2008 | No |
| Dublin | 16786H | St. Brigid's Convent NS, The Coombe | 2008 | No |
| Dublin | 20186F | Castaheany Educate Together Ns, Ongar, Dublin 15 | 2008 | No |
| Dublin | 19946S | Rutland St NS Dublin 1 | 2008 | No |
| Dublin | 20052H | Gaelscoil Colmcille | 2008 | No |
| Dublin | 20060G | Monkstown Educate Together NS | 2008 | No |
| Kildare | 19786W | Castledermot Mixed NS | 2008 | No |
| Kilkenny | 17657B | An Tobar Mhuire Bhuac, Thomastown | 2008 | No |
| Laois | 15556I | Portarlington Convent NS | 2008 | No |
| Limerick | 08926B | St Nicholas Church of Ireland School | 2008 | No |
| Mayo | 15866A | Carrakennedy NS, Westport | 2008 | No |
| Meath | 18044T | SN Naomh Pdraig, Stamullen | 2008 | No |
| Monaghan | 20120V | Scoil Chroi Ro Naofa Clones | 2008 | No |
| Sligo | 19688W | Dromore West Central NS | 2008 | No |
| Tipperary | 19968F | Gaelscoil Durlas Eile | 2008 | No |
| Westmeath | 16914N | Baile Coireil NS, Coralstown | 2008 | No |
| Westmeath | 19948W | SN gCeithre Maistrí, Diseart Mhuire, Bothar na Dithreibhe | 2008 | No |
| Wicklow | 06176U | Blessington 1 NS | 2008 | No |
| Carlow | 20295K | Carlow Town Educate Together | 2008 | No |
| Dublin | 15315J | St George's N.S., Balbriggan | 2008 | No |
| Dublin | 20176C | Rush and Lusk Educate Together | 2008 | No |
| Dublin | 20201V | Tyrrellstown Educate Together | 2008 | No |
| Dublin | 20241K | Scoil Choilm, Diswellstown, Porterstown | 2008 | Yes |
| Dublin | 20247W | Scoil Ghriane Community N.S., Phibblestown | 2008 | No |
| Dublin | 20252P | Gaelscoil Balbriggan | 2008 | Yes |
| Dublin | 20282B | Bracken Educate Together, Balbriggan | 2008 | Yes |
| Dublin | 20302E | Swords Applewood | 2008 | Yes |
| Dublin | 20303G | Clonborris, Lucan | 2008 | Yes |
| Dublin | 20304I | Belmayne, St Francis N.S. | 2008 | No |
| Dublin | 20307O | Skerries — Kelly's Bay | 2008 | Yes |
| Dublin | 20308Q | Belmayne | 2008 | No |
| Dublin | 17055T | Saggart | 2008 | No |
| Kildare | 16705E | Athy | 2008 | Yes |
| Kildare | 20159C | Gaelscoil Nas na Riogh, Naas | 2008 | No |
| Kildare | 20257C | Scoil Naomh Pdraig, Celbridge | 2008 | No |
| Kildare | 20292E | Maynooth Educate Together | 2008 | No |
| Laois | 20081O | Portlaoise | 2008 | Yes |
| Louth | 20294I | North Drogheda Environs, Drogheda | 2008 | Yes |
| Offaly | 20189L | Tullamore Educate Together | 2008 | Yes |
| Westmeath | 19848S | St Etchen's, Kennegad | 2008 | Yes |

[Deputy Batt O’Keeffe.]

| County | Roll No. | School | Year | Rainwater recovery units Yes/No |
|-----------|----------|--|------|---------------------------------|
| Westmeath | 20188J | Mullingar Educate Together | 2008 | Yes |
| Wexford | 20165U | Gaelscoil Mhiosolog, Gorey | 2008 | Yes |
| Wexford | 20214H | Gorey Educate Together | 2008 | Yes |
| Wicklow | 20300A | Educate Together Greystones | 2008 | Yes |
| Wicklow | 20301C | Gaelscoil Greystones | 2008 | Yes |
| Cork | 13747F | Riverstown NS Glanmire | 2007 | No |
| Cork | 17050J | SN Naomh Sheamuis, Durras | 2007 | No |
| Dublin | 16629O | Kiltarnan Church of Ireland NS | 2007 | No |
| Dublin | 20098I | Castleknock ETNS, Beechpark | 2007 | No |
| Dublin | 20137P | Mary Mother of Hope NS | 2007 | No |
| Dublin | 20194E | Adamstown National School -First school | 2007 | No |
| Dublin | 20194E | Adamstown National School — Second school | 2007 | No |
| Kerry | 20111U | Rathmore NS | 2007 | No |
| Kildare | 19897I | Scoil Uí Riada Kilcock | 2007 | No |
| Laois | 15537E | Ballyfin NS | 2007 | No |
| Tipperary | 15970S | Ballytarsna | 2007 | No |
| Wicklow | 20110S | SN Mhuire Senior School, Blessington | 2007 | No |
| Carlow | 19811S | SN Roghan Ui Thuairisc, Bothar Phollerton | 2006 | No |
| Dublin | 19777V | Gaelscoil Mide, Ghlais Cill Bharrog, BAC 5 | 2006 | No |
| Dublin | 20092T | Cherry Orchard NS | 2006 | No |
| Dublin | 20130B | St. Patrick’s NS, Diswellstown | 2006 | No |
| Kildare | 20114D | Scoil Brid, Naas | 2006 | No |
| Limerick | 19883U | Gaelscoil O Doghair, Newcastlewest | 2006 | No |
| Longford | 19279F | SN Naomh Treasa, Clontumper | 2006 | No |
| Offaly | 10353P | Charleville NS, Tullamore | 2006 | No |

Large Scale Post-Primary Extensions/Refurbishments Completed 2006-2008

| County | Roll No. | School | Year | Rainwater recovery units Yes/No |
|-----------|----------|---|------|---------------------------------|
| Cork | 62200H | Colaiste Muire Crosshaven | 2008 | No |
| Cork | 62320R | St Mary’s Secondary School, Macroom | 2008 | No |
| Cork | 62560O | Colaiste Christ Ri, Capwell Road, Cork | 2008 | No |
| Donegal | 71242B | Gairm Scoil Chú Uladh Leifear | 2008 | No |
| Donegal | 81010J | St Columba’s Community School, Glenties | 2008 | No |
| Dublin | 70342A | Ballyfermot College, | 2008 | No |
| Dublin | 60511O | Beneavin De La Salle Finglas Dublin 11 | 2008 | No |
| Limerick | 76073G | Castletroy CC | 2008 | No |
| Mayo | 64630T | Jesus and Mary Gortnor Abbey Crossmolina | 2008 | No |
| Mayo | 72130S | St Patrick’s College Lacken Cross Killala | 2008 | No |
| Tipperary | 65340P | Presentation SS, Clonmel | 2008 | No |
| Westmeath | 63210P | Our Lady’s Bower SS, Retreat Rd, Athlone | 2008 | No |
| Wexford | 71650Q | Kilmuckridge Vocational School | 2008 | No |

| County | Roll No. | School | Year | Rainwater recovery units Yes/No |
|-----------|----------|---|------|---------------------------------|
| Wicklow | 61820J | Loreto S.S. Bray | 2008 | No |
| Wicklow | 70800E | St Kevin's Community College, Dunlavin | 2008 | No |
| Carlow | 61141M | Presentation College Askea Carlow | 2007 | No |
| Carlow | 70400L | Borris Vocational School | 2007 | No |
| Carlow | 70410O | Coláiste Eoin, Hacketstown, Co Carlow | 2007 | No |
| Cork | 62420V | Christian Brothers Secondary School Mitchelstown | 2007 | No |
| Donegal | 91506V | Choláise Cholmcille, College St, Ballyshannon | 2007 | No |
| Dublin | 60731F | St Dominics College, Cabra, Dublin 7 | 2007 | No |
| Dublin | 60342R | Coláiste Éanna CBS Ballyroan Rathfarnham Dublin 16 | 2007 | No |
| Galway | 62990Q | Dominican College Taylor's Hill | 2007 | No |
| Kildare | 61630E | Scoil Eoin/Mhuire | 2007 | No |
| Kildare | 61680T | Newbridge College (Fee paying) | 2007 | No |
| Kildare | 70700P | Maynooth Post Primary School | 2007 | No |
| Kildare | 70720G | St Farnan's Post Primary School Prosperous | 2007 | No |
| Limerick | 91446G | St Endas Community School, Kilmallock Rd, Limerick | 2007 | No |
| Meath | 64370T | Loreto Secondary School, St Michaels, Navan, Co Meath | 2007 | No |
| Monaghan | 64750G | Patrician High School Carrickmacross | 2007 | No |
| Monaghan | 72170H | Ballybay Community College | 2007 | No |
| Tipperary | 65380E | St Mary's Secondary School Nenagh | 2007 | No |
| Wexford | 71610E | Bridgetown Vocational College | 2007 | No |
| Wicklow | 70810H | Avondale Community College, Rathdrum, Co Wicklow | 2007 | No |
| Dublin | 81004O | Girls Comprehensive School, Ballymun | 2006 | No |
| Louth | 71780G | Scoil Ui Mhuiri, Barn Rd., Dunleer | 2006 | No |
| Westmeath | 63211R | St. Joseph's College, Summerhill, Athlone | 2006 | No |
| Clare | 61610K | Rice College Ennis | 2006 | No |
| Dublin | 60260P | St Joseph's of Cluny Killiney | 2006 | No |
| Dublin | 70340T | Liberties College | 2006 | No |
| Kildare | 70730J | Ard Scoil Rath Iomgháin Rathangan | 2006 | No |
| Monaghan | 64830E | Monaghan Collegiate School | 2006 | No |
| Sligo | 65180T | Ursuline College Sligo Town | 2006 | No |

New Post-Primary Schools completed 2006-2008

| County | Roll No. | School | Year | Rainwater recovery units Yes/No |
|----------|----------|---|------|---------------------------------|
| Dublin | 91305L | Ballinteer Community School | 2008 | No |
| Limerick | 71920T | St Nessan's Community College | 2008 | No |
| Limerick | 64220A | St Clements College, South Circular Road | 2008 | No |
| Dublin | 91325R | Malahide Community School, Broomfield, Malahide | 2007 | No |
| Kerry | 91511O | Dingle Community School, Dingle | 2007 | No |
| Meath | 76088T | Ratoath Community College, Ratoath | 2007 | No |
| Donegal | 91500J | Loreto Community School, Milford | 2007 | No |

[Deputy Batt O’Keeffe.]

| County | Roll No. | School | Year | Rainwater recovery units Yes/No |
|---------|----------|---|------|---------------------------------|
| Cavan | 76087R | Cavan College of Further Studies | 2006 | No |
| Cork | 91513S | Youghal Community School, Youghal | 2006 | No |
| Donegal | 76083J | Magh Ene College, Bundoran, | 2006 | No |
| Dublin | 60122D | Coláiste Bríde, Clondalkin, Dublin 22 | 2006 | No |
| Dublin | 60710U | Muckross Park College, Donnybrook | 2006 | No |
| Dublin | 76065H | Coláiste Cois Life, Lucan | 2006 | No |
| Laois | 71510A | Portlaoise Vocational School, Portlaoise | 2006 | No |
| Carlow | 70440A | Gaelcholaiste Cheatharlach | 2006 | No |
| Donegal | 76079S | Colaiste Phobail Cholmcille Oilean Thorai | 2006 | No |

231. **Deputy Ruairí Quinn** asked the Minister for Education and Science the position regarding plans to construct a new national school to replace the current school building occupied by a school (details supplied) in County Louth; and if he will make a statement on the matter. [9417/10]

Minister for Education and Science (Deputy Batt O’Keeffe): The school to which the Deputy refers is currently out to tender with tenders due back in this week. When the tenders are returned, the Design Team will be required to prepare a tender report and submit a copy to my Department for approval.

232. **Deputy Michael McGrath** asked the Minister for Education and Science the position regarding the design stage of the provision of a new school building (details supplied) in County Cork. [9422/10]

Minister for Education and Science (Deputy Batt O’Keeffe): The project to which the Deputy refers is currently at an early stage of architectural planning.

The progression of all large scale building projects from initial design stage through to tender and construction, including this project, will be considered in the context of my Department’s Multi-Annual School Building and Modernisation Programme.

However, in light of current competing demands on the capital budget of my Department, it is not possible to give an indicative timeframe for the further progression of the project at this time.

Site Acquisitions.

233. **Deputy Michael McGrath** asked the Minister for Education and Science the position regarding the proposal by County Cork Vocational Education Committee and a local steering committee to establish a Gaelcholáiste in Carrigaline, County Cork; his views on the proposal; and his further views on purchasing a suitable site for the proposed school. [9423/10]

Minister for Education and Science (Deputy Batt O’Keeffe): I can advise the Deputy that my Department has been in preliminary discussions with County Cork Vocational Education Committee (CCVEC) regarding their proposal to acquire lands to service educational requirements in the Carrigaline area. I am advised that a revised proposal is currently being prepared by the VEC for my Department’s consideration.

Schools Building Projects.

234. **Deputy Michael McGrath** asked the Minister for Education and Science the position regarding the planned refurbishment work and a new building for a school (details supplied) in County Cork. [9424/10]

Minister for Education and Science (Deputy Batt O’Keeffe): The project to which the Deputies refer is at an early stage of architectural planning. Officials from my Department visited the school in December and discussed the project with representatives from the school and the design team. Following the meeting, it was agreed that the design team would proceed to submit proposals for an appropriate design solution for the school. My Department is currently awaiting the submission of these proposals.

School Accommodation.

235. **Deputy Michael Ring** asked the Minister for Education and Science if he will review a decision to refuse funding to a school (details supplied) in County Mayo. [9429/10]

Minister for Education and Science (Deputy Batt O’Keeffe): I can confirm to the Deputy that the Department grant-aids the provision of temporary accommodation in respect of schools requiring interim accommodation to cater for additional staffing allocations while awaiting the provision of permanent accommodation.

The school to which the Deputy refers applied for the replacement of existing rented prefabs with new prefabs in April 2009. Unfortunately, the school’s application was not successful as it was considered that the school had sufficient accommodation to meet its needs at that time. The school appealed the decision and the original decision was upheld. As the existing prefabs are rented it is a matter, in the first instance, for the school authorities to ensure that the supplier of any of the prefabricated buildings maintain them to a standard suitable for use.

In the context of the numbers of applications for temporary accommodation received and the funding available, it is considered that the priority must be in providing additional accommodation to schools that have a deficit of accommodation.

School Transport.

236. **Deputy Ulick Burke** asked the Minister for Education and Science when a report on school transport will be published; when the recommendations will be implemented; and if he will make a statement on the matter. [9438/10]

Minister of State at the Department of Education and Science (Deputy Seán Haughey): As the Deputy is aware, School Transport was approved by Government as a topic for inclusion as part of the 2009-2011 round of Value for Money Reviews.

This review is looking at the original objectives of the scheme, whether these objectives remain valid today, the extent to which the objectives are being achieved, and whether there are possibilities for economies or efficiencies that would improve the value for money of the scheme. In this context, the review is also looking at fundamental issues such as eligibility criteria and catchment boundaries.

The report on the Value for Money Review of the School Transport Scheme is currently being finalised.

Special Educational Needs.

237. **Deputy Pat Breen** asked the Minister for Education and Science further to Parliamen-

[Deputy Pat Breen.]

tary Question No. 263 of the 11 November 2009, when a decision will issue in respect of a project (details supplied) in County Clare; and if he will make a statement on the matter. [9444/10]

Minister for Education and Science (Deputy Batt O’Keeffe): The Department is in receipt of an application for major capital funding for the provision of an ASD Unit for the school referred to by the Deputy. The application has been assessed and has been assigned a band 1.2 rating under the prioritisation criteria for large scale projects.

The priority attaching to individual projects is determined by published prioritisation criteria, which were formulated following consultation with the Education Partners. There are four band ratings under these criteria, each of which describes the extent of accommodation required and the urgency attaching to it. Band 1 is the highest priority rating and Band 4 is the lowest. Documents explaining the band rating system are also available on my Department’s website. As the Deputy will be aware, on 16 February, I announced details of building projects to proceed to appoint design teams this year as part of the school building and modernisation programme. Unfortunately, it was not possible to include the project to which the Deputy refers in this announcement. Therefore, it is unlikely that it will be progressed in 2010.

The progression of all large scale building projects, including this project, from initial design stage through to construction phase will be considered in the context of my Department’s multi-annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of my Department, it is not possible to give an indicative timeframe for the progression of the project at this time. In the meantime, the school have been provided with temporary accommodation to meet its needs.

Schools Refurbishment.

238. **Deputy Frank Feighan** asked the Minister for Education and Science if he will provide an update on a summer works scheme application in respect of a school (details supplied) in County Roscommon. [9486/10]

242. **Deputy Frank Feighan** asked the Minister for Education and Science the position regarding the summer works scheme application for a school (details supplied) in County Roscommon. [9638/10]

Minister for Education and Science (Deputy Batt O’Keeffe): I propose to take Questions Nos. 238 and 242 together.

I can confirm that an application under the Summer Works Scheme 2010 has been received from the School to which the Deputy refers. Following an assessment process, projects will be selected for funding from all valid and approved applications on a top down basis in accordance with the prioritisation criteria published with the Scheme. The timetable for the Summer Works Scheme 2010 has been published as part of the governing Circular Letter for the Scheme. This Circular Letter (0057/2009) is available on the Department’s website www.education.ie. In accordance with the timetable, it is my intention to publish a list of successful SWS applicants in the Spring.

Student Support Schemes.

239. **Deputy Catherine Byrne** asked the Minister for Education and Science the details of new funding to be made available for school books and cultural activities in 2010; and if he will make a statement on the matter. [9493/10]

240. **Deputy Catherine Byrne** asked the Minister for Education and Science the position regarding the school book grant scheme; the number of schools eligible; and if he will make a statement on the matter. [9494/10]

Minister for Education and Science (Deputy Batt O’Keeffe): I propose to take Questions Nos. 239 and 240 together.

The Deputy will be aware that the Renewed Programme for Government provides for funding to be made available to allow schools to provide grant assistance for books. I am pleased to inform the Deputy that €7.65m of additional grant support has been made available as a result of the Budget for 2010, which is in addition to the €7m that was allocated for books to DEIS schools in 2009.

I have consistently said that it is my intention to streamline and rationalise the different grant schemes that provide funding to primary and post-primary schools, both for ease of administration and to ensure that school management has greater autonomy over the funding provided. My officials will be consulting with the management bodies to consider the details of how these funds will be channelled to schools having regard to the desirability of streamlining grant payments. Schools will be advised of the arrangements following this process.

I have consistently urged schools to implement book rental schemes, which are the most effective means of lowering costs for parents and ensuring that books are recycled. I will continue to encourage schools to use this funding to establish book rental schemes.

Preschool Services.

241. **Deputy Brian Hayes** asked the Minister for Education and Science further to Parliamentary Question No. 191 of 18 February 2010, if he will confirm that only one pre-school facility in Dublin has such an arrangement in place and if he will identify the person within his Department who agreed to that and when; and the location of the facility concerned. [9512/10]

Minister for Education and Science (Deputy Batt O’Keeffe): As previously indicated to the Deputy, in my reply to Parliamentary Question No. 191 of 18 February 2010 my Department does not maintain a list of such agreements and as such, I am not in a position to confirm that there are not similar agreements in place. My Department approved by way of letter of 22 February 1991 the use of a classroom to be used by a Montessori School which operates in the original Scoil Iosagain Building, Greendale Road, Kilbarrack, Dublin 5.

Question No. 242 answered with Question No. 238.

School Curriculum.

243. **Deputy Arthur Morgan** asked the Minister for Education and Science his plans to include politics as an examinable subject in the secondary school curriculum; his plans to introduce politics in the second level curriculum outside of the current civic, social and political education course; the timeline for implementation of same; and if he will make a statement on the matter. [9640/10]

Minister for Education and Science (Deputy Batt O’Keeffe): The Report of the Task Force on Active Citizenship in 2007 includes a recommendation on the development of a senior cycle programme on citizenship for schools. The National Council for Curriculum and Assessment has been progressing the development of a new subject “Politics and Society”, which is proposed as an optional examinable full subject in the Leaving Certificate. A draft syllabus has been developed by the Council and was published for consultation. The consultation period

[Deputy Batt O’Keeffe.]

end in November 2009. A report on the consultation process is expected to be published shortly, and the syllabus will be revised after that in the light of the feedback. After this process has been completed, the Council’s formal proposals on the matter will be submitted to me.

It should be noted that education for citizenship is covered extensively in the curriculum for primary schools as part of Social Personal and Health Education, and History, Geography and Science. At second level, these themes are continued, and Civic Social and Political Education is a mandatory subject for all pupils in the junior cycle. It is examined in the Junior Certificate by means of a written terminal examination and an innovative action project which is designed to give students a practical experience of active citizenship.