



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

Tuesday, 5 October 2010.

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DÁIL ÉIREANN

Dé Máirt, 5 Deireadh Fómhair 2010.
Tuesday, 5 October 2010.

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

Paidir.

Prayer.

Ceisteanna — Questions.

Census 2011

1. **Deputy Enda Kenny** asked the Taoiseach the status of preparations on the Central Statistics Office census 2011; and if he will make a statement on the matter. [4601/10]

2. **Deputy Eamon Gilmore** asked the Taoiseach the preparations being made by the Central Statistics Office for the 2011 Census; and if he will make a statement on the matter. [6735/10]

3. **Deputy Caoimhghín Ó Caoláin** asked the Taoiseach the arrangements for the 2011 Census in preparation by the Central Statistics Office; and if he will make a statement on the matter. [11531/10]

4. **Deputy David Stanton** asked the Taoiseach the status of presentations on the Central Statistics Office Census 2011; the possibility of expanding the Census 2011 questions or those of future Census to collect disability statistics; and if he will make a statement on the matter. [22698/10]

Minister of State at the Department of the Taoiseach (Deputy John Curran): I propose to take Questions Nos. 1 to 4, inclusive, together.

The Government decided in July 2008 that a census of population will take place in 2011 and gave the CSO the green light to begin immediately the necessary preparatory work associated with the holding of the census. Part of the preparatory phase of all recent censuses in Ireland is to consult with users regarding the questions to be included on the census form. In this regard the CSO conducted a public consultation by inviting members of the public and various interest groups to make submissions on the topics to be covered, and on the outputs to be produced. A notice to this effect was published in the national press in September 2008 seeking submissions, and all Departments were contacted for their input.

A census advisory group was set up in autumn 2008 to consider the submissions received and to advise on the questions to be tested in a pilot survey planned to be carried out in April 2009. The census advisory group consisted of representatives of central and local government,

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the social partners, universities, research bodies and other users of census data along with relevant CSO personnel.

Over 90 submissions covering 31 topics were received in response to the public consultation. The pilot survey was held on Sunday, 19 April 2009. It covered 32 enumeration areas spread throughout the country and the sample consisted of 11,400 households. The main purpose of the pilot survey was to test public reaction to the wording of a number of new questions, and changes to existing questions. The CSO finalised its analysis of the results of the census pilot in October 2009 and, following a further meeting of the census advisory group, made recommendations to the Government.

Based on the recommendations from this group, the Government, at its meeting on 11 December 2009, agreed to the topics to be included in the questionnaire for the 2011 census. This list of topics is available on the CSO website, along with the report of the census pilot survey. The content and layout of the census form were subsequently finalised. The Government also decided that the next census will take place on Sunday, 10 April 2011. I am advised by the CSO that all of the 2 million census forms required to conduct the census have now been printed and are in storage ready for delivery to the field staff early next year.

The second phase of this consultation process, which focuses on the dissemination of the results of the census, was launched on 4 March 2010. This was conducted via the CSO website and through direct e-mail contact with over 400 interested parties. The census advisory group was reconvened on 26 April 2010 to assess the responses and the census 2011 dissemination strategy was subsequently published on the CSO website.

Two questions are included on the census form that deal with disability. The format and wording of these questions were agreed following consultation and testing and this process will again be implemented in deciding the content of future census questionnaires.

Preparations for the processing of the census returns are well advanced. Processing will involve the capture, coding and verification of approximately 1.7 million census forms over a six-month period between June and December 2011. Following an open competitive tender, the contract to design the processing system was awarded on 10 July 2009 to a UK company, CACI UK Limited, the same company retained to assist in the processing of the 2002 and 2006 censuses. The contract covers the printing of the census forms, which is now complete and was carried out by DCKebrook in Citywest, as well as the software and hardware solution for the processing of the information returned on them.

The recruitment of the required 5,500 field staff and 150 additional headquarter staff to conduct and process the census is now also well under way. The headquarter staff will be sourced through a mixture of redeployment of staff from elsewhere within the public sector and the creation where appropriate of some temporary clerical officer positions. The recruitment campaign began on 29 April with the advertisement of the 50 senior manager positions. The first of these staff were appointed on 27 September and will work for nine months from now until June of next year. The remaining 44 regional supervisors are due to take up duty on 19 October and these staff will also be employed until June 2010. The recruitment of the 440 field supervisors, who will be employed for six months on the census, has also begun. The applications closed on 24 September and they are due to be appointed in early January 2011. Some 5,000 enumerators positions will be advertised on the 29 December and they will be appointed for a ten-week period from 7 March to 13 May 2011. Applications for all posts are being accepted through an on-line application form on the CSO website and are being advertised in advance through FÁS on www.publicjobs.ie and in the national press.

I am happy to report that preparations for the 2011 census are progressing well and that with the full participation of the public at the time of the census, the results will be an important input into planning the future of this country.

Deputy Paul Kehoe: I thank the Minister of State for his comprehensive reply. He said there will be more than 5,000 enumerators and 440 field staff. There are many bright unemployed people so will he undertake that when people are being taken on to fill these positions, that will be taken into account? It is very important we give unemployed people every opportunity to get back into the workplace. This is a perfect opportunity for these people. From the time of the preparatory work until the census results come out, how many people will be employed, including field staff, enumerators and those collating the information in the census?

Although I do not believe it will happen, if this Government lasts until 2012, will the results of the census have any effect on constituency boundary changes made since 2007? From speaking to people throughout the country, the constituency boundaries are out of sync with population figures. Will the Minister of State comment on that? Did the Minister of State have an analysis done of what this will cost the taxpayer? When replying I ask the Minister to refer to the unemployed people who will be taken on to work on the census.

Deputy John Curran: On the question of costs, I do not have the figures with me. However, the figure comprises the number of years involved in the preparation of the census and reflects the core staff to deliver the census and the subsequent analysis. The figure came about over a number of years, covering 2009 to 2011. I will try to get that for the Deputy as I do not have it to hand. In other words, it is not a single budget heading in one given year because of the way in which the preparatory work is done. The pilot alone cost approximately €250,000. It is not itemised as a one year expense. It is across a number of years and takes in the pilot, the preparation, the delivery of the census in 2011 and the ongoing analysis which will run through to the end of 2012. I will try to get a written answer on that for the Deputy.

On the staffing issue, not all the staff will be employed for the same period of time. Approximately 5,500 staff will be engaged in this process, in addition to the 150 who will be assigned to headquarters. Most of those would be a redeployment of the 150. The 5,500 breaks down roughly into the 50 senior manager positions, the first of which were appointed in September. Effectively, all of those will run up to June of next year. A total of 44 regional supervisors are due to be appointed. A total of 440 field supervisors will be employed on the census for the six month period and 50 will be employed for nine months. Most of the 440 field supervisor positions have been advertised and they will commence in January 2011 but the single biggest number is the 5,000 enumerators. Those positions will be advertised officially on 29 December and they will be appointed for a period of ten weeks from 7 March to 13 May 2011. That is the breakdown of the 5,500.

On the question about enumerators and those in receipt of social welfare, first and foremost the positions are open to anybody who meets the qualifications and are deemed suitable, regardless of whether they are in employment, unemployed or whatever may be their circumstances. They must be suitably qualified to deliver the task.

Regarding those in receipt of social welfare, it should be noted that each enumerator is required to deliver census forms to approximately 400 households and most of that work is carried out in the evening and at weekends. I am advised by the Central Statistics Office that because of the necessity to make personal contact with all householders, it is a requirement of the job that enumerators typically work five or six evenings a week and perhaps one day at the weekend. If that is the case, under social welfare rules they would not have an entitlement to claim jobseeker's allowance because effectively they would not be available for work. The

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experience of the staff and the advice I am getting from the CSO is that, typically, the enumerators must work four or five days a week because there is a need to make personal contact and some householders may not be at home on a Monday evening. The work required tends to be for most evenings of the week as well as one of the days of the weekend.

The other point the Deputy raised was in respect of the boundary review. My understanding is that it is on the publication of the final and full results of the CSO that the boundary review is done, not on the preliminary figures. The final figures from the CSO on this census are not due until the end of 2012.

Deputy Emmet Stagg: Will the Minister of State expand on what he said about the employment of unemployed people as enumerators for the census? He seemed to have got the impression from the previous question that this would be a top-up on their dole. These people are fairly well paid and it would be a job with experience for people. I ask the Minister of State — the previous question was in the same vein — to insist that those who are to be employed on the census are unemployed rather than those who already have jobs or large pensions. Many of those employed previously have been people who did not need the employment who were already on very hefty pensions. I doubt it is illegal to exclude certain people and am sure the Minister of State can exclude whoever he likes. I ask for a special effort to be made in this regard and for the Minister of State to ensure that the 5,000 jobs go to some of our 450,000 unemployed.

I have been puzzled by another issue which I believe gave rise to flaws in the last census. During the madness we call the boom many people put up almost impenetrable gates on their communities. Census forms can be posted to the people in question, but how the enumerators get the forms back is beyond me. I am puzzled by how the enumerators were even to find a way in to these communities to retrieve the census forms. One must know the code to open the gates and one cannot get at the letter boxes without the code. The postman has the code but I do not know whether the enumerators would have it. I suggest that many people in these gated communities were not counted in the last census. A question on the census form should ask whether the person resides in a gated community. This would give us some idea of the number of people who have locked themselves away from the rest of society. This information might be a useful planning tool for the Government in the future.

Another question asked on the census was whether people used a car to travel to work. That is useless information on its own. If the question was what route the person took to go to work, we would have real information from a transport planning point of view. We should also ask how many cars the household had. This would be more useful information from the point of view of planning.

Deputy Kehoe raised a question that exercises all our minds, namely, constituency boundaries. I understand that at the time of the most recent census a decision was made in a court case — I stand to be corrected on this if I am wrong — that the preliminary figures could be used to determine boundaries and that changes could be made on the basis of those figures. I know that case was taken, but am not sure of the result. I understand what I have said to be the case.

Deputy John Curran: The Deputy said they “could” be used. I do not think that has been the custom, but I will try and clarify the situation. My point relates to the final figures. While preliminary figures would be available in the summer of 2011, following the census, the final figures would be ——

Deputy Emmet Stagg: Will the Minister of State make it to then?

Deputy John Curran: The final figures would not be available until approximately June of 2012. The Deputy asked me to make a particular effort for the unemployed. In that regard, there is an open and fair competition for the job of enumerator and people are not precluded from applying for the job. That said, I would like to reiterate that the positions are being actively advertised with FÁS, etc. However, there is no policy stating it can only be a particular cohort and it is an open and transparent application and processing system.

The Deputy made an interesting point with regard to gated communities. I do not know how enumerators gained access to the gated communities, but the feedback from the last census was that they were very diligent at their work and lack of access did not transpire to be the reality. The enumerators gained access and there were very few places where they did not get a response.

Deputy Stagg also referred to how census questions are formulated. We could all put forward opinions on what should or could be included. However, a procedure took place and the content of the census questionnaire was agreed following extensive consultation with all Departments and the public. For the 2011 census, the consultation took place between August and November of 2008. Submissions were invited from the public by way of public notice in the press and all Departments and a range of interested bodies were written to inviting their input. As I mentioned earlier, some 91 submissions were received, covering 31 different topics. The CSO was then assisted by a census advisory group. In addition, three separate subgroups were convened to discuss and agree questions on disability, education and the enumeration of the homeless. All the new questions and changes to the existing questions were then tested in a pilot survey in July 2009. The decision on which questions to test in the survey was made following extensive debate among the members of the advisory group, which took into account several of the issues raised in submissions in its deliberations. It is not possible to say this was down to an individual. There was a thorough consultation process, an advertisement was placed publicly, all Departments and users of this information were asked for their input in the formulation of the appropriate questions and the amended questions were subsequently tested.

Deputy Caoimhghín Ó Caoláin: Last June, the Children's Rights Alliance called on the Taoiseach to use his powers under the Statistics Act 1993 to instruct the CSO to access and to scrutinise the HSE child death records in order that we would have full information, full disclosure and accountability and the facts and figures we were seeking with difficulty during that time. Under section 25 of the Act, the Taoiseach of the day is empowered to instruct the CSO to seek and secure specific information at any given time and the CSO is empowered under such an instruction to require of individuals or bodies that they fully comply with said request. It is apparent that the Taoiseach did not exercise that power on this occasion. Was serious consideration given to the proposition by him at the time, given the great difficulty there was establishing the full facts relating to child deaths in State care? Perhaps the Minister of State does not know and it would be unfair of me to expect him to answer here today. However, if he cannot reply, will he please establish the factual position? Has the power contained in section 25 ever been employed by this or a former Taoiseach since its enactment?

With regard to preparation for next year's census, will consideration be given to the inclusion of a question or questions relating to immigration? It is important that we try to establish factually what is the situation with immigration. Last week the Minister of State almost applauded the fact that 5,400 fewer people were on the live register, yet the greater number of those and more besides contributed to that change in the figures by taking the only course open to them in the current economic climate, which was, sadly and regrettably, to head to our ports and airports and, hopefully, depart for job opportunities in other locations. Will consideration be given to the inclusion of the following questions for the returns of families — “Did

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any member of your family emigrate over the past 12 months, two years or five years? If so, to what destination?”. It would be a useful exercise, which would inform the factual situation regarding the real impact and effect of the failure so far to introduce a job sustaining and job creation strategy on the part of Government.

Deputy John Curran: On the Deputy’s second question, there is no specific question on the census form, neither is there any opportunity at this time for its inclusion in the 2011 census as this would not be logistically possible. The preparatory work for the census forms has been completed, a pilot has been undertaken and 2 million forms have been printed and are in storage in readiness for use. When the analysis of this census is complete, the same process is repeated in the formulation of a future census. The Deputy’s point could be considered in the subsequent analysis of the public consultation as to the nature and type of questions. However, it would be misleading to suggest there is any opportunity to include it in this census form because this has been printed and presented.

I agree with the Deputy on one point. The live register is often not the best measure and while it is a headline figure to which reference is made continuously, it is probably not the best figure. Other figures are available from the quarterly national household survey or with regard to those in employment. Approximately 1.86 million people are in employment. As the Deputy said, perhaps those figures would be more specific and more detailed but the question in this census to do with emigration cannot be. However, this would not preclude it from being considered during the next public consultation period when it is open to anybody — including the Deputy — to make submissions.

Deputy Caoimhghín Ó Caoláin: The first element of the question —

Deputy John Curran: Will I deal with that point with the next question because it is relevant to that question?

Deputy Caoimhghín Ó Caoláin: Questions Nos. 1 to 4 are grouped.

An Ceann Comhairle: Yes. However, we have spent some considerable time on that question and we need to move on.

Deputy Caoimhghín Ó Caoláin: I beg the pardon of the House. It is being treated as a stand-alone question.

Deputy David Stanton: Will the Minister of State agree that this is an ideal time to collect proper statistics on disability? Will he agree there is no data on people with autism or ASD? Has the Government received the recommendation from the National Disability Authority or the Health Research Board, on the matter of collecting information on disability and specifically on autism? As there is no such data in existence, how can we plan for services for people with disabilities if we do not have the complete picture? Is the census not a golden opportunity by which to collect this information?

How does Ireland compare with other countries in this regard? Do other European states collect information on specific disabilities? How can we facilitate a comparison of data from other states as I believe we agreed in Washington a number of years ago?

An Ceann Comhairle: I ask the Minister of State to remember we have spent half an hour on this question and we have other questions to deal with.

Deputy Terence Flanagan: It is worth the time.

Deputy John Curran: I will be as brief as possible. With regard to the areas of disability and autism, a specific census advisory sub-group was convened to consider the disability questions on the 2011 census form. This group was composed of representatives from the National Disability Authority, the Equality Authority, the Disability Federation of Ireland and the National Federation of Voluntary Bodies. The proposal to list specific disabilities within the disability question, namely, to make specific reference to autistic spectrum disorder or Down's syndrome in the category of a learning or intellectual disability, was considered at the second meeting of the group. The group concluded it would not be appropriate nor would there be enough room on the census form to list all individual disabilities. However, in order to go some way towards accommodating the request, the existing 2006 category of a learning or intellectual disability, was split into two categories: an intellectual disability and separately, a difficulty with learning, remembering or concentrating. This was tested in the pilot survey. The group was of the view that this approach narrowed the categories and thus helped to address the issue of autism while allowing the questions to remain as inclusive as possible. The Deputy's specific question about autism was considered by that group and it has changed the wording of the 2006 census by breaking the question into two parts. The concern was that it was not possible to list a whole range of individual disabilities so the group has undertaken a pilot test of this particular wording and it is satisfied with the results. This wording will appear on the census form.

Deputy David Stanton: We still do not have specific information about autism. It is a waste of time. Did the Minister and the Government agree with this group? Did they take the advice without making changes? What does the Minister think?

Deputy John Curran: If one is going to receive advice from people involved in the sector, either one has confidence in them or one does not. The advice came from representatives of the National Disability Authority, the Equality Authority, the Disability Federation of Ireland and the National Federation of Voluntary Bodies. We either have confidence in their advice or we do not.

Deputy David Stanton: Did they all agree?

Deputy John Curran: I do not have the full report.

Deputy David Stanton: Can the Minister of State make it available to us?

Deputy David Stanton: I think it is available but I do not know. The results of the pilot programme are available. I have not seen the full report but the recommendations are very clear that it was not possible to name a range of individual disabilities. The group was quite specific on this. It broadened the categories. Some groups were involved in the area of autism and are working with the CSO because it is now a question of analysis of data. That work is ongoing.

Regarding international comparisons, it is important to know that will be a census across Europe in 2011. A range of issues common to each country will be included in ours and our census will include further additional categories to those specified for the EU.

Deputy Joe Carey: The collation of these figures presents an opportunity to address the problems associated with electoral registers throughout the country. Some people named on the register may be dead and there may be multiple entries. This presents an opportunity to carry out a major re-jig and to put it right. Will the Minister of State consider an extra form to ensure the electoral register is accurate? This presents an opportunity and will save money in

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the long run because otherwise we will have to try to get this right in minor ways in different constituencies——

An Ceann Comhairle: Deputy Carey is imparting information.

Deputy Joe Carey: ——and I urge the Minister of State to consider this.

Deputy John Curran: It is an interesting observation but is not practical at this point in time. The census is conducted as a stand-alone item of work. It is important to emphasise the key distinction that it is absolutely confidential to people completing the census. The data is anonymised when it is used afterwards. When individuals are filling in the form and providing personal details, the information does not go beyond the CSO. The statistical data goes beyond the CSO but the personal information submitted does not. Confidentiality is important and if people felt this personal information was going beyond the CSO, compliance, support and the trust the census has built up over a long number of years would be diminished. People comply with this willingly and they understand its significance and importance. One of the key elements is that it is totally confidential. When verified, transferred and used, the data is used on a statistical basis and individuals remain anonymous. No personal information is passed on to third parties. This is the key point about the census.

Deputy Michael Ring: I ask the Minister of State for a commitment to the House. As Fine Gael spokesman for social protection, I point out that there are 465,000 people unemployed. My colleagues have already raised this point. I want a commitment that the Government will ensure those employed will be the highly educated people unemployed at the moment, not those on large State pensions. I want a commitment that the Government will send a directive to use these people rather than those who are already in receipt of State pensions. Some 465,000 people are unemployed and we have plenty people to do this task. In three weeks time, when we have an election, these people should be used because we do not want people already in employment to be employed at polling booths. With 465,000 people unemployed, we can certainly find the number of people needed. I want a commitment that the Government will now make that decision. There is great anger among the people and they do not want to see anyone coming to their doors who is already getting a big pension, having left his or her job at 50 years of age. I want a commitment that unemployed people will get those jobs.

Deputy Simon Coveney: I wish to save time a Cheann Comhairle. I am sure the Minister of State can deal with two questions together. Not for the first time I had a disturbing conversation at lunch time with a 17 year old girl who has been sleeping on the streets of Dublin for the past two nights with her two year old daughter. In the context of the census will a mechanism be in place to accurately measure the number of people who are sleeping rough, their ages and background details? Has that been factored into the planning? I accept it is possible to get information on people who are in hostels but, unfortunately, many homeless people are not.

Deputy John Curran: On Deputy Ring's question about who can apply for the jobs, it is important to point out that the process is fair and open. The jobs are advertised with FÁS and on *publicjobs.ie* but it is open to all people to apply as the process is a public recruitment one. There is no distinction or curtailment but the places where the jobs have been advertised would afford anyone who is on the live register the opportunity to know that they are available. It is not possible to isolate and advertise——

Deputy Michael Ring: It is now. This is a different economic time to what we had five years ago. We must give the jobs to young people with degrees and other educational achievements who have no work.

An Ceann Comhairle: Deputy Ring, the Minister of State should be allowed to speak without interruption.

Deputy Michael Ring: We should not give such jobs to people who already have big pensions.

An Ceann Comhairle: Deputy Ring, please.

Deputy John Curran: The CSO is not allowed to discriminate in favour of any one group of people when conducting its recruitment.

Deputy Michael Ring: That means we are going to give the jobs to people who already have pensions.

Deputy John Curran: All applicants will have to be treated fairly. On the homeless, there is a section for those involved in the voluntary sector. I do not know if the category of “homeless” is included directly. I will check that for Deputy Coveney.

Ministerial Responsibilities

5. **Deputy Caoimhghín Ó Caoláin** asked the Taoiseach if he has exercised his powers under the Statistics Act, 1993, including his power under Section 25; and if he will make a statement on the matter. [25346/10]

Deputy John Curran: The principal powers assigned to me under the Statistics Act relate to the nomination of the Director General of the CSO, for appointment by the President, section 12(1), and the appointment of the National Statistics Board, section 18, which have been exercised as required since enactment of the legislation, and the making of orders under section 25 of the Act in respect of mandatory surveys. I will not go through all the surveys unless Deputy Ó Caoláin wishes. A dozen or so are included. From the point of view of saving time they will be circulated for the Deputy and included in the Official Report.

Additional information not given on the floor of the House

S.I. 909 of 2005: Statistics (Business Registers) Order 2005—

This regulation provides for the conduct of the CSO’s annual survey of business demography. The primary purpose of the survey is to provide estimates of the number of enterprises and the number of persons engaged. It also provides information on the enterprise life cycle, that is, on the total number of enterprises on the business register, the number of new enterprises and closures. The business register, which is updated by this survey, is a central part of the CSO’s overall system of business statistics.

S.I. 78 of 2008: Statistics (Census of Industrial Production) Order 2008—

All industrial enterprises with three or more employees are surveyed in the annual census of production. This census covers about 5,000 enterprises and is the main source of annual data on the structure of industry.

S.I. 314 of 2008: Statistics (Labour Costs Surveys) Order—

This relates to the collection of quarterly statistics on employment, earnings and hours worked from public and private sector employers — i.e. the earnings, hours and employment costs survey, EHECS. Information is collected from a sample of about 7,500 businesses and public sector organisations each month. Quarterly statistics comparing average earnings in each

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sector are based on this survey. The CSO has worked with payroll software companies to provide an electronic response option for this survey and in June 2010, the CSO reduced the number of questions in the survey. The shorter questionnaire and the electronic filing option will both reduce the burden on business of answering this survey.

S.I. 141 of 2008: Statistics (Outward Foreign Affiliates) Order 2008—

This is an annual survey of about 500 large Irish-based enterprises, to provide information on how businesses expand internationally. The main information collected relates to the foreign affiliate companies owned or controlled by the enterprise.

S.I. 77 of 2008: Statistics (Service Inquiries) Order 2008 and S.I. No 91 of 2010: Statistics (Service Inquiries) (Amendment) Order 2010—

These two orders relates to the collection of the annual services inquiry, which provides the main structural analysis of the distribution and services sector. A sample of 20,000 enterprises is surveyed. The CSO is working to reduce the burden on enterprises and will significantly reduce the number of small enterprises and sole traders asked to complete this survey. While it will still be necessary to conduct the annual services inquiry on a compulsory basis, most of the necessary information for very small enterprises will in future be obtained from administrative records. The EU Council regulation governing the annual services inquiry was replaced in 2009. SI 91/2010 is a technical amendment of the earlier SI 77/2008 to take on board the new EU regulation.

S.I. 313 of 2008: Statistics (Survey of Industrial Commodities Production) Order 2008—

This order relates to the annual collection of statistics on the quantity and net selling value of all goods manufactured in Ireland or outsourced abroad and sold in Ireland or throughout the world in the reference calendar year. Around 5,000 manufacturing enterprises with three or more full-time employees are surveyed each year in the PRODCOM inquiry. They survey provides a breakdown of manufacturing sector output, classified by product and industrial category. This is an important component in calculating national output.

S.I. 56 of 2009: European Communities (Statistics in respect of Carriage of Passengers Freight and Mail by Air) Regulations 2008—

This regulation provides for the collection by the CSO of monthly and annual data on passengers numbers and the volume of freight and mail arriving and departing in airports. It applies to all airports handling at least 15,000 passengers per year. The regulation enables the collection of data that are comparable, consistent and synchronised at European Community level.

S.I. 115 of 2009: Statistics (Building and Construction Inquiries) Order 2009—

This provides for the collection by the CSO of the annual building and construction inquiry. The information is collected from a total of about 4,600 enterprises and provides data on the structure of the building and construction sector. This data is required under the European Union's Structural Business Statistics Regulation (295/2008).

S.I. 73 of 2009: Statistics (Quarterly Survey of Construction) Order 2009—

This order provides for the collection of quarterly data from a sample of 2,400 enterprises in the construction sector. Information on the value of construction work done and the value of new contracts or orders obtained are collected each quarter. The purpose of the survey is to provide short-term indicators of economic activity in the construction sector. The survey

also provides information required in the compilation of quarterly GDP and indicators required under the EU Short-term Statistics Regulation.

S.I. 103 of 2009: Statistics (Services Turnover) Order 2009—

This order provides for the collection of monthly turnover data from a sample of 2,500 enterprises in the services sector. The purpose of the survey is to provide short-term indicators of economic activity in the services sector. The survey also provides information used in the compilation of quarterly GDP and some indicators required under the EU Short-term Statistics Regulation.

S.I. 92 of 2010: Statistics (National Employment Survey) Order 2010—

This order provides for the collection of the annual national employment survey, NES. This survey covers businesses with three or more employees. Information is collected in respect of about 10,000 employers and 100,000 employees. This provides a valuable database on the structure and distribution of earnings, together with other data on the factors which influence wages and competitiveness. The CSO publishes a detailed report on the survey and has published comparative information on public and private sector earnings, based on the national employment survey.

S.I. 154 of 2010: Statistics (Monthly Industrial Inquiry) Order 2010—

The monthly industrial inquiry covers all companies with 20 or more employees that are involved in manufacturing or in the provision of industrial services. Data is supplied each month on turnover, value of new orders along with the quantity and net selling value for each product made. The monthly indices of industrial output and industrial turnover are compiled from this survey.

S.I. 181 of 2010: Statistics (Census of Agriculture) Order 2010—

This order provides for the collection of the census of agriculture in June 2010. The census covers all farms with an agricultural area used, AAU, of more than one hectare together with farms engaged in intensive production, for example, of pigs or poultry. The agricultural census takes place every ten years — the last one was in June 2000. A full response is necessary in order to count all farms. Over 150,000 questionnaires were issued in June. First results from the census of agriculture will be published in December.

S.I. 206 of 2010: Statistics (Balance of Payments) Order 2010—

This regulation provides for the collection by the CSO of monthly, quarterly or annual information on financial and other assets and liabilities as well as income and service flows from entities who are involved in the provision/receipt of goods, services or financial instruments to/from non-residents. The information is used to compile balance of payments, international investment position, foreign direct investment, international trade in services and financial accounts statistics and is also an important component in compiling the national accounts.

S.I. 207 of 2010: Statistics (Census of Population) Order 2010.

The census of population takes place every five years. Plans for the next census, on Sunday 10 April 2011, are at a very advanced stage. To carry out the census, the CSO is recruiting a temporary field force of 5,500 people, comprising 50 senior managers, 440 field supervisors and 5,000 census enumerators. The recruitment competition for the 440 field supervisors is currently under way and the vacancies for 5,000 census enumerators will be advertised by the CSO

[Deputy John Curran.]

on the 29 December. Preliminary results from the census of population will be available in July 2011.

S.I. 349 of 2010 Statistics (Business Accounts Surveys) Order 2010—

This order provides for the collection by the CSO of quarterly information on opening and closing stocks, debtors and creditors, and the acquisition and disposal of capital assets by businesses. The information is collected from a sample of 2,000 enterprises and is an important component in compiling the national accounts.

Deputy Caoimhghín Ó Caoláin: I will not repeat what I said earlier. I apologise, through the Chair, for having failed to note that the grouping did not include Parliamentary Question No. 5. I thought it would have done. In any event, the critical focus is that there was a request made of the Taoiseach going back to last June and in the context of the statistics regarding child deaths in care under the stewardship of the Health Service Executive in order to secure full disclosure and accountability which we were all arguing for at the time. I understand section 25 does give this power to the Taoiseach of the day under the Statistics Act 1993. We already know the power was not exercised during the period including last June, but was consideration given to the particular proposition and if not, why not? Will the Minister of State clarify whether the power has been exercised in a number of instances that will be included in the full reply?

Deputy John Curran: I will begin with the last point. There is a range of statutory instruments under section 25. I will outline the first to give the Deputy a flavour and the rest are included in the longer answer. SI 909 of 2005, the Statistics (Business Registers) Order 2005, is a regulation which provides for the conduct of the CSO's annual survey of business demography. The primary purpose of the survey is provide estimates of the number of enterprises and the number of persons engaged. It also provides information on the enterprise life cycle and the total number of enterprises on the business register and the number of new enterprises and closures. The business register which is updated by this survey is a central part of the CSO's overall system of business statistics.

That is one statutory instrument and there are a good number of others. If the Deputy wishes me to read them all into the record, I will do so.

Deputy Caoimhghín Ó Caoláin: There is no need.

Deputy John Curran: In any case, they are included in the written reply.

The Deputy referred to section 25 of the Statistics Act 1993, which enables the Taoiseach to make orders making it mandatory for persons or undertakings surveyed by the CSO to provide information sought in the relevant survey. Such orders may also be made by the Minister of State with responsibility for the CSO. When an order under section 25 has been made by the Taoiseach or Minister of State, the CSO may direct persons or undertakings to provide the information in respect of the relevant survey.

The Deputy in his question made specific reference to the HSE in terms of scrutiny of child death records. What he seeks is not possible because the functions of the CSO under the Statistics Act 1993 relate solely to statistical purposes, and these functions do not extend to the scrutiny or assessment of administration by other public bodies. As any examination of the HSE information on child deaths would necessarily include scrutiny of administrative systems and practices, it would not be appropriate to ask the CSO, the sole role of which is confined

to statistics, to carry out such an examination. Section 25 purely relates to statistical purposes and would not be appropriate in this regard.

Deputy Caoimhghín Ó Caoláin: Given the Minister for Health and Children is seated beside the Minister of State today, I note that we were at that time endeavouring to extract the full facts in regard to the statistics of child deaths in State care. As the Minister of State will recall, getting to the final figure proved to be a very vexatious process. In the context of establishing the statistics — the numbers, rather than any particular analysis of the facts that led to any and all of these tragic outcomes — this was the argument of the Children’s Rights Alliance and a view with which I would have concurred. It is clear from the Minister of State’s reply that no consideration was given to this means or method of acquiring the stated information, which is regrettable. The information subsequently did become available but I highlight that this is an area offering a means and method of address of problems such as this that might present in the future.

Deputy John Curran: To reiterate in regard to the legislation, section 25 of the Statistics Act 1993 does not relate because it is specifically in regard to statistical purposes. Clearly, the type of information that is required here would require some scrutiny of administrative systems and practices but, in any event, the figures have been progressed separately in a different manner.

Priority Questions

Hospital Staff

8. **Deputy James Reilly** asked the Minister for Health and Children the details of the number of non-consultant hospital doctor posts that are vacant; the number of consultant posts that are vacant; what the planned ratio was; what the planned ratio is now, in view of the fact that it is policy to have a consultant delivered service; and if she will make a statement on the matter. [35142/10]

Minister for Health and Children (Deputy Mary Harney): One of the main recommendations of the National Task Force on Medical Staffing in 2003 was to increase the number of consultants and to implement a corresponding decrease in the number of NCHD posts in order to create a consultant-provided service. At the time of publication the consultant to NCHD ratio was 1:2.27. The task force concluded that a team-based consultant-provided service was required to ensure high quality patient care and achieve compliance with the European working time directive. It stated that this would entail a significant increase in consultant numbers.

The move to a consultant-provided service was reflected in the 2008 contract. This provided for consultants to work as part of a team over an extended working day of 8 a.m. to 8 p.m., an increase in the length of the working week and structured weekend work. It is also provided for in the HSE’s employment control framework which allows for new hospital consultant posts to be created by the suppression of two non-consultant hospital doctor, NCHD, posts.

As of September 2010, the approved number of consultant posts was 2,410. This represents an increase of 679 posts, or 39%, since the task force reported. The current ratio of hospital consultants to NCHD posts is 1:1.7 compared with 1:2.27 in 2003. For comparison purposes, both ratios exclude interns.

[Deputy Mary Harney.]

Since 2008, the HSE has created almost 500 new or replacement consultant posts. As of June 2010, approximately 223 contracts had been issued to individuals taking up HSE consultant posts. This reduces potential vacancies to approximately 275, of which 89 consultants are currently being recruited by the Public Appointments Service. While the remaining 186 approved posts are recorded as being vacant, the large majority of these are in HSE-funded agencies, including voluntary hospitals, where the recruitment process has already taken place and the HSE has been asked to establish how many of them have been filled.

Approximately 260 of the 4,638 NCHD posts are vacant, but many of these posts, in particular high priority service positions, are being filled by locums or other short-term contractual arrangements. The moratorium on public sector recruitment is not a factor in these NCHD vacancies.

Deputy James Reilly: I thank the Minister for her response. I wonder why interns were excluded for comparative purposes. They are NCHDs and would clearly impact on the ratios considerably.

It is important to point out that emergency paediatric and obstetrics maternity and surgical services across the country are likely to be curtailed as a result of the critical shortage of junior hospital doctors. An anaesthetist consultant in Our Lady of Lourdes Hospital has written a letter to the press outlining the difficulties being faced there with some nine posts in the junior ranks being vacant. This will make the delivery of a service difficult. In the context of events at Navan hospital, this will mean a serious diminution.

Apart from the intern issue, what services will be curtailed or reconfigured due to the forecasted shortages, what action has been taken by the Department and the HSE to fill the vacancies and does the Minister accept that the staffing crisis means hospitals will become increasingly dependent on locums, a matter to which she has alluded? An over-reliance on locums will lead to an increase in adverse incidents as occurred previously, particularly in the north east.

Deputy Mary Harney: The process of recruiting consultants continues unaffected by the moratorium. The process includes suppressing two non-consultant posts for one consultant post and is working well, as is evident from the ratios. The first report on this matter was the 1994 Tierney report which was to get us there ten years later. We have made good progress since 2003.

The HSE, the Medical Council and others have been engaged in a process of dialogue concerning training posts. Among the initiatives being pursued are the 80 additional specialist training posts in emergency medicine to deal with shortages, 38 posts in general practice and 85 in surgery, together with the relaxing of visa restrictions for the recruitment of individuals from overseas and offers of longer contracts instead of the short-term contracts that were unattractive relative to Northern Ireland or the rest of the UK and put us at a disadvantage. These initiatives will be in operation and the visa changes have been made. I can give the Deputy the details. These and other changes will be in effect from 1 January 2011.

An Leas-Cheann Comhairle: I want to allow Deputy Reilly a further supplementary question.

Deputy James Reilly: I will not ask a supplementary question, rather I will repeat the questions I asked that the Minister did not answer. Why were interns excluded and what services will be curtailed or reconfigured due to the forecasted shortages? If she is answering only one question, the most important one is the latter.

Deputy Mary Harney: Services to patients will not be curtailed and are constantly being reconfigured. There will be a question later on Navan Hospital and I shall deal with the matter then in line with recommendations on patient safety and so on. Regarding interns, the issue is to have a comparative figure that compares like for like, comparing our position when the manpower study reported with where we are now. That was the intent of the question. The shortages that arose on 1 July are being dealt with as a result of dialogue between the Medical Council, the HSE and the training bodies. In the longer term the initiatives, including central recruitment and so on, for those who will come from outside the country will offer two-year contracts rather than a six-month contract. This will make Ireland more attractive and will deal with the pressure points. Most of the vacancies at consultant and non-consultant hospital doctor level are being filled by temporary locums and although I hear what the Deputy has to say, there is much more vigilance in this area now than might have been the case previously.

Hospitals Building Programme

9. **Deputy Jan O'Sullivan** asked the Minister for Health and Children if discussions are on-going between her Department and the Health Service Executive to change the compensation on termination clauses in contracts for the building of co-located private hospitals on the grounds of public hospitals; if these discussions have concluded and if changes are being made; if so if she will detail these changes; if she proposes to go ahead with the projects; and if she will make a statement on the matter. [34958/10]

Deputy Mary Harney: The renewed programme for Government reaffirms the Government's commitment to the hospital co-location programme. Preferred bidders have been selected for six co-location projects, including those at Beaumont, Cork University, Limerick Regional and St. James's hospitals. The Beacon Medical Group was awarded the Beaumont, Cork and Limerick projects. Synchrony Healthcare was successful in the case of the St James's project. Project agreements have been signed and planning permission has been granted for these four projects.

The co-location programme is a complex public procurement process. A core principle underlying the co-location initiative is that the private sector should bear all normal business risks. It is a matter for each successful bidder to arrange its finance under the terms of the relevant project agreement. The co-location initiative, like other major projects, must deal with the changed funding environment.

The HSE has been considering proposals put forward by the Beacon Medical Group to advance the projects. For reasons of commercial confidentiality I am not in a position to comment on the elements of these proposals or the specific issue raised in the Deputy's question at this time. I recently met representatives of the Beacon Medical Group at their request and was briefed on progress on the banking issues and other factors they consider to have a bearing on this matter.

Deputy Jan O'Sullivan: Does the Minister still plan to go ahead with these projects, especially in view of the fact that her own expert working group under Ms Frances Ruane stated, on page 51 of its report, there is a surplus of private hospital space and a shortage of public hospital space? Why is the Minister proceeding with this project despite the fact there is officially a surplus of private hospital space? God knows, we need all the tax we can get to fund vital public services in the years ahead and obviously tax will be forgone if these projects go ahead.

I read a report in the *Irish Medical Times* of 20 August which stated specifically that the Beacon Medical Group has submitted a proposed contract amendment, essentially to have a

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way out clause in order that the risk to the private company involved in the case would be less than that contained in the original plan. Will the Minister assure Members there will not be a change to the original proposals? At this stage does the Minister accept we do not need any more private hospital beds and that what we need is funding for the public hospital service?

Deputy Mary Harney: That may be correct in regard to stand-alone private facilities but the reality is that almost 50% of elective admissions, including those in the Deputy's local hospital, are for private patients. The impetus behind this plan came from a letter from six consultants in the Deputy's hospital who were the first people to write to me on this idea.

Deputy Jan O'Sullivan: That does not mean it is right.

Deputy Mary Harney: Hold on. They are highly respected and I believe the Deputy, too, would respect them. The reason they proposed this was to free up the private beds which are designated in our public hospitals for public patients. That remains the plan. The sad reality is that we do not have additional resources to invest in our public hospital programme, regardless of whether I or anyone else is in charge.

The Deputy is adopting an ideological approach to this but it is the most cost-effective way——

Deputy Jan O'Sullivan: It is the Minister's ideological approach.

Deputy Mary Harney: ——of providing additional capacity because too many public beds are consumed by private patients who could be dealt with in private sector facilities. These facilities must be made available to all patients of the hospital and profit may arise — in the case of the hospital in Limerick about 25%. There can be no breach of the tender or of the project agreement entered into with any of the promoters, nor any breach of competition law, which does not arise.

Deputy Jan O'Sullivan: I put it to the Minister that one reason we do not have enough acute beds in the public service is because almost 1,000 of them have been closed. No number of private hospital beds will address that issue. It is not that we do not physically have beds in acute public hospitals, rather that we do not have the resources to staff them. Is it not true that if the Minister gives tax breaks to private developers to build co-located or apartheid-style hospitals in the grounds of public hospitals she will, in effect, be giving taxpayers' money to these hospitals which will not be available to provide public services?

Deputy Mary Harney: In Waterford Regional Hospital there are 80 private beds paid for by taxpayers which are accessible only to private patients. I do not have the figure for Limerick but it is similar. A large proportion of private beds in our public hospitals are paid for by taxpayers, as are the staff concerned, but these are available to one group of patients only. I do not find that acceptable.

Not all such projects are looking for tax breaks and it is a myth to suggest they are. The Deputy's party favours the tax breaks for primary care facilities, as recommended by the all-party committee on health, so it is not the case that every——

Deputy Jan O'Sullivan: That is a different issue.

Deputy Mary Harney: Those tax breaks, too, will only be available to certain people. If the tax system can deliver in health or any other area a benefit for our citizens that is greater than the benefit which can be achieved otherwise, we must have an open mind about it.

Deputy Jan O'Sullivan: We have too many private beds.

Hospital Services

10. **Deputy James Reilly** asked the Minister for Health and Children the basis of the Health Service Executive decision to cease surgery, particularly elective surgery, at Navan Hospital, County Meath; the clinical reasons behind this decision; the details of the HSE review into this matter; and if she will make a statement on the matter. [35141/10]

Deputy Mary Harney: In its role as patient advocate for high quality, safe, surgical care and practice, the Royal College of Surgeons of Ireland supported the decision of the HSE's director of quality and clinical control, Dr. White, to cease emergency acute surgical services at Our Lady's Hospital in Navan with effect from 1 September. Earlier this year, the HSE north east identified two general surgery cases with poor clinical outcomes. It later identified four laparoscopic surgery cases where outcomes were also poor. The HSE has asked the RCSI to nominate two senior clinicians to review the two general surgery cases. The precise format of this review will be finalised shortly and the review will be concluded as soon as possible.

The HSE has appointed a review team of three senior surgeons with appropriate experience and standing to undertake a review of the four laparoscopic cases. This review is expected to take approximately two months. Four reviews have been conducted into the department of surgery in Navan since 2005. The HSE has accepted all the recommendations of these reviews and is committed to their ongoing implementation. All decisions regarding the location of services will be taken with patient safety as the priority. Minor elective surgery and endoscopy will remain in Navan. The hospital continues to be the regional centre for elective orthopaedic surgery.

Deputy James Reilly: I thank the Minister for her reply. I will point out a number of issues. The Minister mentioned two cases, one of which involved the mother of a general practitioner who asked that his mother's case be removed because he has no issue concerning the manner of treatment given.

The surgery facilities at Navan have been cancelled for elective surgery too. Some 1,800 cases are performed there every year. At a professional level I am aware there is no capacity within Dublin and the north east, including Cavan, Drogheda, Beaumont, Blanchardstown and the Mater hospitals, to take on those 1,800 cases. Patients of mine have had to wait four days on trolleys and have had their operations cancelled as a consequence of the downflow from the other end of the north east. The patients in Navan will not be accommodated within the system and waiting lists will grow. People are being deprived of the rightful service they now have. Where are they supposed to go? There was a preliminary investigation by the RCSI. When will there be a full investigation? Will the Minister explain to the House why elective surgery been cancelled at that centre when the RCSI did not allude to elective surgery?

Deputy Mary Harney: The question relates to emergencies. There are six cases involved and one surgeon was put on temporary leave while being subject to investigation. As to emergency surgery there was one such procedure in every 24 hours and the decision was made to move that to a safe environment. There are reviews pending which involve the Royal College of Surgeons.

[Deputy Mary Harney.]

Regarding elective surgery, financial pressure points exist in that hospital and in other regions of the country, as the Deputy is well aware. We shall be debating that tonight, and I do not believe that hospital is mentioned. However, there are pressures and the HSE has to live within its budget. Deputy Reilly is the deputy leader of his party and I understand is committed to fiscal rectitude.

Deputy James Reilly: I thank the Minister for orientating me.

Deputy Mary Harney: I believe that at the very minimum he would expect units of the HSE in every part of the country to live within the budgets allocated for the year.

Deputy James Reilly: At least the Minister clarified one thing for the people of the north-east. It is all about money and not patient safety. As the Minister well knows, the reason we are not mentioning Navan hospital in tonight's motion is that any question in regard to it would probably be disallowed if it influenced the motion. To get back to the real question, the Minister has acknowledged that it is a matter of money, not quality of care in regard to elective surgery. She also mentioned that a consultant was placed on administrative leave. That consultant has since been cleared and is off that leave, so I do not get any sense from her of any real patient safety issue as regards her decision, through the HSE, to close Navan hospital. Having mentioned earlier the shortage of anaesthetists at Drogheda, it is difficult to see how the greater area can cope. Clearly, we are going to see a deterioration in patient services in the north-east.

Deputy Mary Harney: To cite the advice of the Royal College of Surgeons in Ireland in regard to this matter, it is to the effect that we cease all emergency surgery, all emergency surgery admissions, examine patients in the emergency department and transfer any patient needing a surgical admission — this accounts for four admissions a day, approximately two of which would require a surgical procedure — and so on.

Deputy Damien English: We know all that.

An Leas-Cheann Comhairle: Allow the Minister to reply. She may well reach the point the Deputy wants.

Deputy Mary Harney: It was on the basis of that advice and the number of reports that have been conducted into these procedures, that the decision was made. With regard to elective procedures there and elsewhere, hospitals have to live within the budgets allocated to them, and that includes Navan Hospital.

Deputy James Reilly: The Minister says that to live within the budget they must cancel the entire service. That is not funny for the people who must use that service.

Deputy Mary Harney: I believe I have dealt with the issue. The Deputy is raising two separate issues. One is the matter of safety and the transfer of acute surgery from Navan to Drogheda hospitals.

Deputy Damien English: Which we all accept.

Deputy Mary Harney: I am delighted to hear the Deputy does, since he opposed it when it was announced.

Deputy Damien English: We did not, but we opposed the cancellation of elective surgery. The Minister should get her facts right.

An Leas-Cheann Comhairle: References should be made through the Chair. This is a priority question. Other Members should not be encouraged to enter into the debate.

Deputy Mary Harney: I do not want to provoke the Deputy but was not cancelled in August when he was speaking on this matter, because I have some of his quotes here.

Deputy Damien English: It was cancelled on 31 August.

Deputy Mary Harney: Navan hospital in the north-east, Galway University Hospital and every other hospital and region in the country have to live with the budget allocation for health services for 2010. It constitutes 12% of national income, which is very high by comparison with other countries. I do not have additional money and neither does the Exchequer to allocate to any hospital that falls short in its budget in terms of it elective or other procedures.

Child Care Services

11. **Deputy Charles Flanagan** asked the Minister for Health and Children when a national director for childcare services will be appointed; and the role and functions of the director [34957/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): In the course of discussions with the HSE in June 2010, I raised the need for the appointment of an individual at national director level who has a proven track record to lead the reform of children and family services. I envisaged that this appointment would be for a time limited period of approximately two years. Following those discussions, I briefed my Cabinet colleagues on the initiative and drew the parallel between the role that Professor Tom Keane played very successfully in cancer care and the new role that I envisage in respect of children and family services. The HSE has been very receptive to the proposal and is committed to sourcing and appointing a person who would have the authority to deliver on the wide and ambitious reform programme in this area.

The creation of this new position is a reflection of the priority which I and the HSE attach to improving children and family services. Specifically, the post has been established to lead organisational and cultural change in children and family services in the HSE. The post holder will lead structural, information and managerial changes in the delivery of a clear service model that focuses on best outcomes for families and children. The post holder will set standards to ensure services are fit for purpose, provide a safe and high quality child protection service and are consistent with statutory obligations.

The recruitment process for the new national director of children and family services is well underway. The HSE hope to be in a position to make an announcement regarding the appointment shortly. It is envisaged that the appointee will report directly to the chief executive of the HSE and to the board.

Deputy Charles Flanagan: What does the Minister of State mean by “shortly”? Very little progress has been made on this matter since his announcement in June this year. I remind him that in what was one of the most euphemistic statements of the year, he adverted to clear defects within the child care system. I should have thought that this might have acted as an

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alarm bell in the Minister of State's office, to ensure that this appointment was made as a matter of urgency.

I ask him as again what he means by "shortly". He should by now be in a position to put a timeframe on it. Will he expand on the role and function of such an appointee, and will he confirm that it is to be someone from overseas?

Deputy Barry Andrews: That is correct. I spoke about this at the joint committee meeting when I said that I hoped the appointee would be in place before Christmas, so that "shortly" could be within the next few weeks. Clearly, the person appointed will have to service notice, assuming he or she is employed somewhere else. I have referred to deficiencies and clear defects and this is not a euphemism. Rather, it is an honest appraisal of the situation in which we find ourselves as regards children and family services. We have a much more open and transparent system of appraisal of our services, particular through HIQA, the Ombudsman for Children, and the Children Acts Advisory Board. We therefore have a much better idea of what is going on from time to time. It is unfortunate that it has taken so long to get such a grip on the situation.

With regard to the role the appointee will have, it is important he or she reports directly to the chief executive of the HSE as this would elevate the position of children to the one it should rightly hold within the HSE, namely, mainstream and not peripheral. From time to time that label has been attached to children and family services within the HSE, and I do not believe that is unreasonable.

Deputy Charles Flanagan: Unless and until such an appointee reports directly to the Minister of State's office the defects in the child care system will continue. Will the Minister of State confirm that this initiative arises directly from the PA Consultants' report? I remind him of that report's recommendations which pointed clearly to confusion and lack of consistency in terms of how child care services are being run in this country. The report specifically adverted to a serious lack of transparency, an absence of accountability and any form of responsibility within the system. Unless and until the new international child care director is prepared to act within specific timeframes on the PA Consultants' report, this initiative will not be what is required in the circumstances.

Deputy Barry Andrews: The appointee will have a reporting structure within the HSE, pursuant to the Health Acts. However, I have provided for monthly meetings with the assistant national director in the HSE with responsibility of children and families, and his appointment was pursuant to the PA Consultants' recommendation in September 2009. That has worked out very well and I believe we need to enhance this further. That is why we took the initiative in regard to the appointment we are discussing today. PA Consultants recommended this, and it will be delivered. We are making substantial progress, and I hope to make an announcement shortly.

Health Services

12. **Deputy James Reilly** asked the Minister for Health and Children if she will reverse the Health Service Executive dental policy decision which advises dentists not to fill cavities in children's teeth in view of the fact that it puts children's health at risk; and if she will make a statement on the matter. [35143/10]

Deputy Mary Harney: The HSE has not issued a national directive to dentists working in the public dental service that they are not to fill cavities in children's teeth.

The Deputy may be referring to a clinical policy in Sligo-Leitrim for the past 15 years not to fill milk teeth unless there was clear evidence of an associated health benefit. In response to media reports in August, the principal dental surgeon for the area said that this policy is evidence-based. He stated:

The policy in Sligo-Leitrim focuses on dealing with the causes of the decay and working towards reducing the risk of tooth decay in baby teeth. It also prioritises treatment of permanent teeth. Any baby teeth which are causing pain or which may consequently cause problems for adult teeth are of course treated as required.

The HSE has recently appointed a new oral health lead, Dr. Dympna Kavanagh, to ensure that the delivery of oral health services is in line with national policies and best practice.

Deputy James Reilly: I should like to put on the record of the House the fact that I am informed that Navan hospital is not over budget, in response to my last question that was dealt with by the Minister.

In regard to this issue, the Minister will forgive me if I read out a section of a report from the Dental Protection Ireland. Dental Protection Ireland, DPL, the specialist risk management group, has raised concerns about a memo from a HSE senior dental manager sent to dentists working in community clinics indicating that the agency's policy is that dentists are instructed not to provide routine fillings for deciduous, or baby, teeth. The expert advice sought by DPL contradicted the HSE's policy rationale, citing a recent study based on a sample of nearly 7,000 five-year-old children in Scotland, the findings of which did not support a policy of non-intervention for primary teeth. The expert advice stated that dental caries left untreated are likely to progress to a stage which causes pain and suffering for children and said a general policy of non-intervention was "wrong and unjustifiable".

Other claims offered as policy rationale by the HSE were similarly disputed by the expert advice, which concluded that the main issue that had driven the policy was the lack of resources, which was mentioned by the senior dental manager in the memo. Damningly, the expert said that there was no evidence in the dental literature to support this approach and that it would expose children to serious risk of pain and discomfort, and — even worse — abscesses, sepsis and hospitalisation.

An Leas-Cheann Comhairle: Please, Deputy, we must have questions. This is Question Time.

Deputy James Reilly: Does the Minister accept this opinion, which comes from an internationally respected body with no conflicts of interest in terms of costings? Is this yet another policy born out of a desire to save money rather than saving children from pain and distress?

Deputy Mary Harney: This is not a directive or policy of the HSE but a policy that has been pursued for the past 15 years by Dr. Joe Mullen, the principal dental surgeon for Sligo-Leitrim. I will not dispute what he believes is best practice because I am not a dentist, and I understand the Deputy is not either.

Deputy James Reilly: The Minister listens to experts; I listen to experts.

Deputy Mary Harney: With regard to evidence from research, a project is under way in the UK to examine the benefits of providing baby tooth fillings and also to examine other methods

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of restoration and assess the best outcomes. I understand the results will not be available for at least five years.

Deputy James Reilly: I will ask the Minister a simple question. Does she accept the literature that is available in the dental world in the moment, or will she depend, as she so often does, on information to come in the future when dictating policy that affects the welfare of our children?

Deputy Mary Harney: The dental policy that applies was initiated by the Deputy's party colleague when he was Minister for Health. A new dental policy will be published later this year. The HSE has just appointed a clinical lead in this area, and we will see dental services being given greater priority. However, the issue raised by the Deputy is a practice that takes place in only one region of the country.

Deputy James Reilly: Would the Minister not accept, then, that this person is out of kilter with the rest of the HSE, and does she not think it appropriate for her to seek advice from the remaining dental practitioners within the HSE about whether it is safe to continue this practice?

Deputy Mary Harney: The person concerned is a principal dental surgeon and, as the Deputy knows, clinical independence operates in such areas. That is the policy pursued by that particular dentist, and it would be a matter for the chief dental officer, if he felt the policy was inappropriate, to intervene in the situation. It is certainly not a matter for me.

An Leas-Cheann Comhairle: That concludes Priority Questions. We will now move on to Other Questions.

Other Questions

Mental Health Services

13. **Deputy Brian Hayes** asked the Minister for Health and Children when urgent admissions to hospitals (details supplied) will cease due to inhumane conditions identified by the Mental Health Commission; if she will provide details on the locations at which more than 1,000 urgent psychiatric admissions will be accommodated; and if she will make a statement on the matter. [34744/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): In June 2010, the Mental Health Commission attached conditions to the registration of St. Brendan's, St. Ita's and St. Senan's Hospitals which, *inter alia*, require that new acute admissions to St. Brendan's cease in September 2010 and those to St. Ita's and St. Senan's cease in February 2011. I am glad to be able to report progress on this.

The HSE opened a second unit in the department of psychiatry at Connolly Hospital on 6 September last and all acute psychiatric admissions from the Cabra and Finglas areas were transferred to the new unit from that date. Acute admissions to St. Brendan's have now ceased — for the first time, it is worth noting, since 1815. The building of replacement long-stay mental health facilities, which was recently announced as part of the Grangegorman redevelopment project, is due to begin this year; the new 54-bed unit will be completed by mid-2012.

Three old-age psychiatric wards in St. Ita's Hospital are scheduled to close by the end of the year; these will be relocated to a newly refurbished purpose-built unit elsewhere on St. Ita's

campus. It is also planned to discharge approximately ten patients to suitable nursing home or continuing care facilities. Plans for the transfer of acute inpatient admissions from St. Ita's to a new purpose-built unit on Beaumont Hospital campus are proceeding. Construction work is expected to begin in February 2011 and will take approximately 18 months. The HSE is considering alternatives to acute admission to St. Ita's that can be established pending full commissioning of the Beaumont facility.

With regard to St. Senan's, the HSE is committed to the closure of all old psychiatric facilities in the HSE south area. Significant steps have already been taken in Wexford, including a reduction in the number of beds from 170 in 2005 to 85 at present. Four capital development projects are under way which will enable the complete closure of all non-acute wards in the hospital by early 2012. There is sufficient capacity in Waterford Regional Hospital to serve the acute admission needs of the extended Waterford-Wexford catchment area, in line with the recommendations of *A Vision for Change*. However, before acute admissions can be transferred from St. Senan's, community-based services will need to be further developed in both Wexford and Waterford to provide alternative treatment options and reduce dependence on acute beds. Such developments include the provision of a day hospital service and crisis houses. The HSE expects to finalise an integrated development plan for the expanded catchment area shortly.

Deputy James Reilly: I thank the Minister of State for his reply, and acknowledge the fact that he was not in charge of this portfolio for much of the duration of the pain and suffering that people have had to endure in these institutions and acute psychiatric admission units. The Minister to his right, however, has persisted with the policy of co-located hospitals, particularly at Beaumont, which impinges on the site which had the original planning permission for a new unit to replace the one at St. Ita's. This unit, I remind the House, has an open ward with 23 men on one side and another open ward with 23 women on the other, with a bank of three toilets, one shower and a bath on each ward. This is no way to treat people in 2010.

Would the Minister of State not consider, given the abject failure of the co-located hospital policy, using the original site at Beaumont Hospital — for which planning permission was obtained at some considerable cost — and proceed without any further delay to build the unit as provided for under that planning permission?

Deputy John Moloney: I fully support everything the Minister has talked about in terms of co-location and, indeed, I support all our policies within the Department of Health and Children.

Deputy Mary Harney: So do some of Deputy Reilly's colleagues, actually.

Deputy John Moloney: Commitments made last year for capital programmes are being adhered to — it is not as if we are talking about a project at some future date. The unit at Beaumont will begin construction this year, and the site in Clonmel is under construction. The acute psychiatric unit in Letterkenny is also under construction. Thankfully, there will be no further referrals to Letterkenny hospital. With regard to St. Ita's, in the Deputy's own constituency, I was out there yesterday morning giving a commitment that the unit in Knockamann would be fully open next month. All the commitments we have made on mental health are being adhered to, thanks to the €50 million capital commitment. I will announce details of further openings. By the way, I forgot to mention St. Loman's in Mullingar, where I turned the sod not long ago for a 100-bed unit. I consider this a work in progress.

Deputy Jan O'Sullivan: I put it to the Minister of State that the percentage of the health budget dedicated to mental health services has gone down to 5.4%, which is an all-time low. Does he intend to increase the amount of money spent in this area, in the context of commitments in A Vision for Change?

Has a clinical lead been appointed for mental health? We received a list of clinical leads in all the different specialties and the only lead that had not yet been appointed was that of mental health. That may since have been rectified, but I would like clarity on it.

The original plan, when times were good in the building industry, was to sell off properties in order to raise capital funds for the provision of mental health facilities. Is the Minister of State satisfied that funding will be available for the various projects he outlined in his reply and for others that are needed in order to remove people from these Dickensian conditions?

Deputy John Moloney: I have never argued publicly against the fact that the mental health budget has fallen from 8% to 5.4% of the overall health budget. Nor do I give the standard answer that there is hidden investment in mental health through the primary care facilities and community supports. Given that €600 million less will go into health services in this year's budget, the onus is on me to prioritise funding for mental health within this, particularly in the area of early intervention. To allow us to deliver the recommendations in A Vision for Change over the next four years, I will be making the case for a reorganisation of funding within the health budget to prioritise mental health. I am saying this in public and I said it recently at a conference. It ties in with the commitments of A Vision for Change.

A Vision for Change sets out a ten-year programme, of which four years have been completed. We can meet the commitments we have made in regard to the scheduled closure of mental hospitals in the six years remaining. I will be honest with the Deputies. We had hoped to raise €50 million this year but due to the downturn in the economy, we have raised €10 million thus far. Much of the anticipated windfall was dependent on local authorities being in funds. We are negotiating with local authorities on funding our developments over a two to three-year period.

In a nutshell, the commitment I have made on closing the old hospitals within three years remains. In addition to the commitments I gave last year on this year's spending, I gave a commitment that on 1 March each year we would outline what we can do to work towards our goals. Regarding the clinical lead, no appointment has yet been made.

Deputy Caoimhghín Ó Caoláin: This is my first opportunity to follow up correspondence I sent to the Minister of State on 14 July regarding the outworking of the Government's policy on mental health inpatient units in the north east. I acknowledge the reply he issued to me on 19 August. Specific questions which I asked in my letter did not receive a response in the Minister of State's letter. Is it the Government's intention to close the admissions unit at St. Davnet's Hospital by the end of November and to discontinue new admissions to the unit from 1 November? I understand all new admissions are to be redirected to the inpatients unit at Cavan General Hospital. It is important that people know the precise situation. This has been suggested and we are weeks away from the prospective outworking of the matter. People within the service and across the community have not been advised of the factual position.

The Minister of State's reply of 19 August referred to an inpatient service planning group established in 2007 to plan for inpatient services not only for Cavan-Monaghan but also for the entire north east. The letter stated that the group recommended that a purpose built acute admissions unit be provided and that a site on the campus of Cavan General Hospital had been identified. It went on to indicate that an interim measure would be put in place in terms of utilising the existing admissions unit at the hospital and that the numbers which heretofore

passed through St. Davnet's would be directed there. I object strongly to the closure of the admissions unit at St. Davnet's Hospital which is in an ideal, long-established and beautiful location. People are now being directed to the basement area of a general hospital. I have visited this unit and felt discomfort upon entering it.

An Leas-Cheann Comhairle: Allow the Minister of State to reply.

Deputy Caoimhghín Ó Caoláin: It is unsuitable for people with severe mental health issues.

An Leas-Cheann Comhairle: The Deputy's point is well made.

Deputy Caoimhghín Ó Caoláin: Will the Minister of State clarify the matter and revisit the proposal in light of what I have said?

Deputy John Moloney: It is a pity that the defects rather the progress are always pointed out in regard to Cavan-Monaghan. Within one month of my appointment I had the privilege of visiting St. Davnet's where I met the consultant, Dr. Russell. Long before A Vision for Change was even considered, Dr. Russell was one of the first people in the area to promote the concept of community mental health services and support. What is happening is exactly in line with his vision of eight community mental health nurses for the region.

Unfortunately, interim measures are often required where resources are not immediately available. While the basement services are clearly not adequate or proper, I am considering interim measures for the hospital. It is not just a matter of ministerial diktat. All our discussions take place with the full support of the hospital management group. Whenever I have visited any of these hospitals, I have met consultants, doctors, users and providers to work out the best way of developing services in the region. That is what we are doing in Cavan-Monaghan.

An Leas-Cheann Comhairle: We must move on. We have used more than double our allotted time for this question.

Deputy John Moloney: I am not at present in a position to say anything more to the Deputy but I will try to revert to him in the next week or two regarding the November date.

Deputy James Reilly: May I ask a supplementary question?

An Leas-Cheann Comhairle: We are over time. I do not want to cut the Deputy short on his next question.

Deputy James Reilly: I will take the cut on my next question because this is terribly important.

An Leas-Cheann Comhairle: It is extremely important. That is why we spent double our allotted time on it.

Deputy James Reilly: The Minister of State said we are not discussing plans for the future and that he has done X, Y and Z. The reality is that the patients of St. Ita's still do not know when they will be accommodated by a psychiatric admissions unit in Dublin north. We have not been told when the unit will be built. Will it be done sometime in the future when planning permission is received? In the meantime, we have been told by the Mental Health Commission that the unit should close by February 2011. Where will the patients who are being admitted or who will need admission next year be accommodated?

Deputy John Moloney: The position is clear. Last year we did not have the money but now we are committing the money. We are working with the commission to develop interim measures. I have four specific ideas in mind. I do not intend sharing them with the House at present because it is clear that by doing so I would give rise to concerns about the transfer of patients. I am not looking at the easy option of extending the time period but investigating how adequate and proper facilities can be provided.

Health Service Investigations

14. **Deputy James Reilly** asked the Minister for Health and Children if the Hayes Report into the non-reporting of nearly 58,000 X-rays and the failure to process thousands of general practitioner referral letters at Tallaght Hospital, Dublin, has completed their work; and if she will make a statement on the matter. [34780/10]

Deputy Mary Harney: The HSE has recently received the report of the independent review undertaken by Dr Maurice Hayes. The review deals with the delay in reporting radiological examinations and the management of GP referral letters at Tallaght Hospital. It is hoped that the findings of the review will be published in the coming weeks. Prior to the separate clinical review of 57,921 X-rays carried out in Tallaght Hospital, two cases of delayed diagnosis emerged. No further cases were identified during this clinical review which was completed in April 2010.

All the GP letters have been opened and examined. It was found that 2,328 related to the period 2002 to 2008, of which 1,269 no longer required appointments. The relevant GPs were informed. Of the remaining cases, 1,059 patients were allocated appropriate orthopaedic and physiotherapy appointments. Additional clinics were held at the hospital to deal with the remainder of cases identified. All outstanding appointments will be completed by the end of next month.

Deputy James Reilly: I will be brief, to save time.

An Leas-Cheann Comhairle: I am much obliged.

Deputy James Reilly: The Minister promised that the review would be ready in June but it was since delayed to September. Today she informs us that it will be published at some point in the future. That is not acceptable to the people of Tallaght who want a definite date by which they will be made aware of the contents of the report. Will the Minister set out a firm date on which the report will be made available?

The Health Information and Quality Authority, HIQA, was supposed to produce a report on how letters should be dealt with in future. What is the status of that report? I have been requested by Dignity 4 Patients to inquire into the standing of the report promised to that organisation last year.

Deputy Mary Harney: This is not my report and it was not in my hands. Dr. Hayes was appointed on 18 March and he has completed and submitted his report. It is being examined by Dr. White and others at the HSE because certain legal issues arise. I have not seen the report nor have I been briefed on it. I hope to see it as soon as the legal position allows. I assure the Deputy that the report will be published at the earliest opportunity.

Deputy Jan O'Sullivan: I wish to raise with the Minister policy issues pertaining to people who undergo X-rays and other investigative procedures. We want to have proper procedures in place to ensure this does not happen again to other patients. Will the Minister clarify the procedures being followed in our hospitals to ensure X-rays are appropriately read?

I also want to ask her about the 1,059 patients who needed appointments.

The Minister has said that they have since got appointments. Does she know how long some of those patients have been waiting and how much pain they might have been suffering while their letters were unopened? Will any policy lessons be learned from this and will procedures be put in place to ensure that GP referral letters are appropriately dealt with in all hospitals?

Deputy Mary Harney: The college of radiology was involved in making recommendations on the reading of X-rays and we can make that information available to the Deputy. The letters related to a period between 2002 and 2008 and of course the situation is unacceptable. It is not a policy issue. I think it is a management and operational issue. When we see the report we will be able to determine the management and operational issues that led to that situation. Clearly, it is completely unacceptable that a general practitioner's letter was left lying on a desk and the appropriate procedure was not followed to make an appointment for the patient.

Deputy Caoimhghín Ó Caoláin: Can the Minister confirm that the Hayes report addressed the unopened referrals issue and not just the X-ray situation at Tallaght Hospital? This is not clear from her response.

Aside from the processing of the individual letters concerned, what steps have been taken to ensure that there will be no recurrence? Has there been any investigation on whether a similar backlog of referrals has taken place at any other hospital across the State? Can the Minister assure the House that this is not the case? Vacancies are not being filled due to the current recruitment embargo and there is a growing strain on clerical supports at a number of hospitals? Clerical administration is suffering as a consequence.

Deputy Mary Harney: The terms of reference for Dr. Hayes included the GP referral issue. The HSE carried out an audit of all hospitals following the emergence of the Tallaght issue. The college of radiology was also asked to make recommendations and the HSE intends to publish that report.

There seems to be an assumption that all management and administrative staff are in some HSE office, but the vast bulk of them are at hospital level. There are around 400 people working in administration and management at Tallaght hospital alone. There may be some isolated cases involving problems with administrative support, but our hospitals generally have a fair amount of administrative support. The health service, like the rest of the public service, is still very dependent on manual supports. While technology is being put in place, we still have some years to go before we have the technology backup to allow for the efficient processing of correspondence and more complex issues like patient safety—

Deputy Caoimhghín Ó Caoláin: I want to know whether we will avoid a recurrence of what we have witnessed this year.

Deputy James Reilly: When will the HIQA report on how letters should be dealt with be made available to us? When can we expect the report on dignity for patients?

Deputy Mary Harney: I do not have the information on the HIQA report to hand, but I will revert to the Deputies when the authority makes its report. The purpose of appointing Dr. Hayes was to see what recommendations he would make, having done a thorough job and including a GP, a patient advocate and so on. Following the Tallaght issue, the HSE made contact with every single hospital in the country and their clinical directors.

The report on dignity for patients cannot be made public at this time.

Deputy James Reilly: When will we see it?

Deputy Mary Harney: We will not see it for the foreseeable future. The judge has recommended that it should not be made public because there are possible criminal proceedings on the matter.

Hospital Waiting Lists

15. **Deputy Dan Neville** asked the Minister for Health and Children her views on the fact that more than 46,000 patients are on hospital waiting lists here; if she will provide a breakdown of the numbers of patients on waiting lists per hospital; and if she will make a statement on the matter. [34759/10]

17. **Deputy Brian O'Shea** asked the Minister for Health and Children the current numbers treated under the National Treatment Purchase Fund between 2009 and 2010; the cost to date spent on administering this fund; and if she will make a statement on the matter. [34685/10]

Deputy Mary Harney: I propose to take Questions Nos. 15 and 17 together.

Since its establishment in 2002, the National Treatment Purchase Fund has provided over 200,000 public patients with inpatient treatment, diagnostic procedures and outpatient appointments. The median waiting time for medical and surgical patients is now 2.6 months. This is a very significant reduction from an average of between two and five years when the fund was established in 2002. The cumulative amount allocated to the fund from 2002 to 2010 is almost €598 million. Of this amount, €30.7 million has been allocated to costs related to administration of the fund. This is approximately 5% of the NTPF's total funding in that period.

In 2009, the NTPF facilitated almost 29,000 patients — 20,000 for elective surgery, 2,500 MRIs and 6,400 outpatient appointment — at a cost of €90 million, including administrative costs of €4 million. The fund's allocation for 2010 is €90.092 million. The activity targets agreed involve facilitating 31,000 patients, consisting of 20,000 inpatients, providing 3,000 MRIs and 8,000 outpatient appointments. The NTPF anticipates meeting these targets. I have emphasised to the fund the need for maximum cost-effectiveness, consistent with safe and effective care. I have asked it to seek even better value from private hospitals and the fund has successfully negotiated price reductions for certain high-volume procedures. In addition, it will not purchase services where the price is not acceptable.

The NTPF is responsible for the collation and reporting of national waiting list data and patients are placed on the national list only after they have been waiting three months. This is because many people receive their treatment within three months and, in some cases, with little or no waiting. It is not appropriate to classify these patients as "awaiting treatment" in the same way as those who have been waiting for several months. It is not, therefore, correct to conclude that there are over 46,000 patients on waiting lists.

The most recent figures relate to September 2010 and indicate that the number of patients waiting for over three months was 19,865. I would emphasise that it is more relevant to measure waiting times rather than the numbers of patients involved and, as I have already indicated, significant progress has been made in recent years in reducing average waiting times. There remains a relatively small number of patients who have been waiting for longer than 12 months for treatment and I have emphasised to both the HSE and the NTPF that they must continue to work together to ensure that these patients are afforded treatment without further delay. The detailed data on individual hospitals requested by the Deputy will be circulated in the Official Report.

Hospital	Patients
AMNCH (Tallaght)	1,181
Bantry General Hospital	0
Beaumont	1,374
Cappagh Orthopaedic Hospital	302
Cavan General Hospital	26
Childrens University Hospital, Temple Street	433
Connolly (Blanchardstown)	101
Cork Univeristy Hospital	970
Kerry General Hospital	9
Kilcreene Orthopaedic	138
Letterkenny General Hospital	644
Louth County Hospital	71
Mallow General Hospital	0
Mater Misericordiae Hospital	2,173
Mayo General Hospital	131
Mercy University Hospital	593
Merlin Park Hospital Galway	518
Midland Regional at Mullingar	215
Midland Regional at Portlaoise	85
Midland Regional at Tullamore	969
Mid-Western Regional Hospital, Croom	54
Mid-Western Regional Hospital, Dooradoyle	985
Mid-Western Regional Hospital, Ennis	0
Mid-Western Regional Hospital, Nenagh	0
Monaghan General Hospital	67
Naas General Hospital	17
Our Lady of Lourdes Hospital, Drogheda	319
Our Ladys Hospital for Sick Children Crumlin	1,094
Our Lady's Hospital Navan	143
Portiuncula General Hospital	0
Roscommon County Hospital	0
Royal Victoria Eye and Ear	437
Sligo General Hospital	556
South Infirmery — Victoria University Hospital	149
South Tipperary General	8
St. Colmcilles Loughlinstown	0
St. James's Hospital	627
St. John's Hospital Limerick	196
St. Lukes Hospital, Kilkenny	310
St. Michaels, Dunlaoighaire	0
St. Vincents University Hospital	414
University College Hospital Galway	3,720
Waterford Regional Hospital	826
Wexford General Hospital	10
Grand Totals	19,865

Deputy James Reilly: It may be all well in the Minister's mind to say that we will only talk about those waiting more than three months, but the reality is that there are 46,000 people waiting for treatment. The NTPF figures are extremely misleading because they do not include those people waiting up to three months. Many people are now finding that they are not getting onto the NTPF waiting list until they have been waiting six months.

How many people are believed to be on outpatient waiting lists? Does the Minister have any system to measure the number of patients and the length of time from the day a patient is referred from primary care to a hospital? Following our discussion on what happened at Tallaght, surely this is an issue of serious concern.

Deputy Mary Harney: We never measured the lists in that manner, so we must compare like with like. When the NTPF was established a few years ago, there were over 30,000 people waiting over three months and now that list is below 20,000.

Clinical leads have recently been appointed by Dr. White to devise appropriate clinical pathways for patients, particularly in respect of access to appropriate outpatient appointments. Many of these patients end up being admitted to hospital through accident and emergency more ill than they otherwise might be, due to delays or inappropriate referrals. A great deal of work — I understand the Deputy has been briefed on many of these initiatives — has been under way in the HSE over recent months. Some highly respected clinical leaders have been appointed and they are making substantial progress. I expect to see the fruits of their new work early next year in regard to waiting times for outpatient and other appointments.

Deputy Jan O'Sullivan: I, too, would like to refer back to the previous question in the context of this one because that is what I meant when I said it was a policy issue in regard to the GP referral letters. As the Minister said, pathways of care are crucial to ensure we have proper relationships between the primary care system and the acute hospitals.

I would like to know when we will get information, and I do not believe the Minister answered that in response to Deputy Reilly's question. I gather it is planned to have information on the number of people with referrals from GPs and who await outpatient appointments. From my experience, more people are waiting a very long time before they even get to the outpatient department and on to the waiting lists. Will the Minister clarify when that information will be made available?

My second question relates to orthopaedics, which would be one of the large specialties in the work of the National Treatment Purchase Fund. Orthopaedic beds and orthopaedic theatres in a number of hospitals, in particular in the western area, are being closed. As a result, highly specialised orthopaedic surgeons cannot do the full quantum of work they used to be able to do. Will the Minister examine this in the context of value for money and the fact that many patients are going on to longer waiting lists and to the National Treatment Purchase Fund list? Public hospitals cannot do the work because beds and theatres are being closed and people are being sent to private hospitals, in some cases far from their homes, to have the work done.

Deputy Mary Harney: For next year, we are examining the strong possibility of procuring, for example, orthopaedics from the hospitals because there is a substantial variation between the cost of procedures from one hospital to another.

Deputy Jan O'Sullivan: Is that from public hospitals?

Deputy Mary Harney: Yes. In other words, we will ring-fence the money for orthopaedics, because it is very measurable, and procure that service based on value for money. Clearly, there is a substantial variation throughout the country in the context of what one can receive

for a specific amount of money. That is evident from the case mix. The money taxpayers make available must be used as productively as possible. I am having discussions with the National Treatment Purchase Fund and the HSE on the procurement of that service for 2011. As Deputy Jan O'Sullivan acknowledged, the resource group recommended that we would move in this direction in the future and it might be good to start along this road during 2011 in order that we are clear what we can get and that we can make appropriate use of our public capacity.

Deputy Caoimhghín Ó Caoláin: The Minister may or may not be aware that the number of patients on trolleys and chairs in hospitals today is 420. That figure was only 290 on the same date in 2005 when she committed to doing away with it entirely. Between August 2009 and August 2010 there has been an increase of 1,000 in the number of patients waiting more than three months for inpatient and day care treatments. Over the same period, there has been an increase of 5,000 patients waiting for up to three months for similar procedures. These statistics are shocking but they translate into real people.

How do I deal with a parent whose young child has constant issues in regard to a tonsillectomy which she has been told is not likely to be performed for up to four years? That is the situation with which we are dealing. That is the advice being given by hospital sites to patients presenting today. It is not acceptable.

Deputy Damien English: There are hundreds of people on the waiting lists for elective surgery in Our Lady's Hospital, Navan. They now have to go into the system. Where will they get their operations? Will that not add to the Minister's woes and increase these waiting lists? There is, effectively, a full surgical unit which could operate on people but cannot do so because it has been closed. The waiting lists will increase and people will be left waiting. We are talking about hundreds of people.

Deputy Mary Harney: All hospitals, including Our Lady's Hospital, Navan, and all regions of the HSE must live within their budgets. No additional money can be made available. There is much scope within hospitals for greater efficiency. University College Hospital, Galway is in the news currently. It has an absentee rate of 7%.

(Interruptions).

Deputy Mary Harney: I am telling Deputies the measures hospitals must take and we are working to ensure they take them. The Croke Park agreement has a crucial role to play in this regard. University College Hospital, Galway loses 25,500 hours per month through absenteeism. It is being asked to reduce it by 28,000 hours per month. All the problem does not rest with the HSE nationally or with the Department. There must be a greater emphasis on efficiency and effectiveness in each hospital to reduce absenteeism rates.

In response to Deputy Ó Caoláin, there is no suggestion that anyone would have to wait four years for that procedure. The National Treatment Purchase Fund is there in the event of a person having to wait three months. If it is an emergency procedure, it will be done immediately.

Deputy Caoimhghín Ó Caoláin: That is not what the hospitals are saying.

Deputy Mary Harney: Will Deputy Ó Caoláin please give me the details? When I look for the details, I never get them.

Deputy Caoimhghín Ó Caoláin: I always give them.

Written Answers follow Adjournment Debate.

Adjournment Debate Matters

An Ceann 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) Deputies Timmy Dooley and Joe Carey — the Government's position on Shannon Airport as provided for in the State Airports Act 2004; (2) Deputy Joe McHugh — the HSE west plans to introduce temporary staff reductions of 7,000 hours per week — equivalent to 180 jobs, the implications for services in the HSE west region and the seeming acceptance that, given the extent of the impending cutbacks, there is no longer an active requirement to cut waiting lists for elective surgeries; (3) Deputy Michael Ring — to ask the Minister for Environment, Heritage and Local Government if the national parks and wildlife service has met the Office of Public Works in regard to the proposed flood mitigation works in the Roundfort-Hollymount area of County Mayo and when the work will commence on said works; (4) Deputy Leo Varadkar — the need for the Minister for Health and Children to report to the Dáil on the emerging crisis in hospitals in north Dublin due to closure of more than 100 beds in the Mater, Beaumont and Connolly hospitals, to explain the reason for these closures and what measures she intends to take to ensure there is not a major trolley crisis over the winter leading to sub-optimal care and loss of life; (5) Deputy James Bannon — the need for the Minister for Transport to ensure County Longford is included in plans for a 2,000 km national network of cycle paths which will connect cities and towns throughout the State, and the need for the Minister to make a statement on why Longford, which is in the heart of Ireland and could be regarded as the central point where all routes cross and considering all it has to offer in terms of amenities, sporting facilities, natural resources and scenic landscapes, is the only county to be precluded from the Minister's vision of world class cycle routes; (6) Deputy Deirdre Clune — the need to review TB services following the recent outbreak of TB among primary school children in Cork; (7) Deputy Joe Costello — the need for the Minister for Health and Children to review the 50 cent per item levy on prescriptions for medical card holders; (8) Deputy David Stanton — the urgent need for the Minister for the Environment, Heritage and Local Government to explain and make a statement on the Government's position following reports in a national newspaper today that fines of between €20,000 and €100,000 per day could be imposed by the European Commission as a result of the failure of the Government to clean up toxic waste at the east tip at Haulbowline, County Cork; and (9) Deputy Andrew Doyle — the importance of investment in forestry.

The matters raised by Deputies Deirdre Clune, Joe Costello, Timmy Dooley, Joe Carey and Andrew Doyle have been selected for discussion.

Leaders' Questions

Deputy Enda Kenny: Last Thursday was a black day for Ireland's economy and people. It was the day we were finally told the cost of the failure of the Government's banking strategy — €50 billion. It was also revealed that as a direct consequence of that, there will now be a need for a much tougher budget to be introduced because, we are told, the country will not be able to borrow money on the international markets next year. The reason is that the international markets do not want to lend money to Ireland, other than at exorbitant rates, because they do not believe the growth plan for the country which the Government has brought forward.

The announcements made last week have left hundreds of thousands of people shocked, confused and very angry. They felt that having taken on board salary cuts, pension levies, overtime cutbacks and reductions in services, they were making a contribution to sorting out the financial crisis and the economic situation into which the Government has led the country.

Now they know the difference. Their money has gone and it has not made any appreciable difference.

For the past two years, we were told quite clearly that the banking crisis and the budget deficit were separate. After last Thursday, we now know that the taxpayer and the citizen will have to pay directly for the failure of the Government's banking strategy.

An Ceann Comhairle: Has the Deputy a question?

Deputy Enda Kenny: Does the Taoiseach accept that the citizen and the taxpayer will have to pay directly for the failure of the Government's banking strategy? What level of cut is the Government considering for the 2011 budget? Is it €3 billion, €3.5 billion, €4 billion or, as some commentators suggest, more than €4 billion?

The Taoiseach: I ask the Deputy to try to maintain some accuracy in the context of what emerged last week. We have investments which have been made into AIB and Bank of Ireland. They are preference shares which are now converted to ordinary shareholdings — we have the majority in one and a considerable portion in the other— upon which a return will be obtained in due course.

There is, of course, the appalling situation where we estimate we have to pay €29.3 billion in regard to Anglo Irish Bank for its orderly wind-down over a long period of years. I have made the point to the Deputy already on a few occasions, and I make it again today, that the accountancy treatment of that and the Irish National Building Society amount must go onto the general government balance this year as an accountancy issue but over the next ten to 14 years we will be issuing promissory notes on those. That is how we can manage it. Otherwise, we would not be able to manage it.

The cash flow implications next year for the first €3 billion of a promissory note in that respect is €172 million, as estimated by the Department of Finance, and €344 million the following year. The cash flow impact, therefore, of the payment we have to make in respect of the orderly wind-down of these financial institutions makes that a manageable operation for us.

The issue on the budget is a separate matter because we have a €18.5 billion gap on the budget that must be dealt with. That is the context in which we are operating, and the issue in that regard is that, as members of the eurozone, we are required by the European Commission, and in the interests of maintaining confidence in the country's capacity to deal with the situation, to come forward with a four year budgetary framework which will be the same framework for whosoever has the honour and privilege of serving in Government between now and 2014. We will outline, as a Government, what we believe is the best way forward in getting a credible pathway to a 3% deficit by the end of 2014. That is an obligation we have as members of the eurozone and in the implementation of the Stability and Growth Pact as interpreted by the European Commission.

If we are going to get into a politics as usual debate, we need a position where we face up to the scale of the issues with which we have to deal. We have had a banking crisis in this country. We have had a banking policy which we outlined last March. We put a six to nine months timeframe on bringing that about. We believe we will deal with it in that timeframe, as we outlined last Thursday. The loans that have been transferred to NAMA from those institutions have now been identified and valued. Those are the figures with which the Financial Regulator has come forward. I have explained to the Deputy again that this will be in addition to our national debt but we will pay interest on that debt. We will not be reducing that debt over that time. We will be paying interest, or serving the debt. In the same way as we saw in the past when there was growth in the economy, it is by that measure that one reduces the

[The Taoiseach.]

debt-GDP ratio over time through economic growth coming into the equation. That is the reason that is manageable, despite the very important imposition it places upon us in the longer term.

The issue in the medium term, whether it is the 2011 budget or the requirement to provide a budgetary framework as to how we get to a 3% deficit by 2014, is one to which we are now addressing our minds, and we will bring forward that framework in mid-November.

Deputy Enda Kenny: I asked the Taoiseach two questions. The first was whether he was prepared to accept that it is the citizens and the ordinary taxpayers who will have to pay for the failure of banking strategy. We had comments from the Minister for Finance, and indeed from the Taoiseach and other Ministers, that a wind-down of Anglo Irish Bank would be catastrophic and that the proposals put forward by the Fine Gael Party would cost the country billions of euro. The Taoiseach has now arrived at the same situation as the advice we gave two years ago. It is a fact of life that it is the citizens and the taxpayers who will have to pay for the cost of the borrowed money, that is, the interest to deal with the banking situation. That is a charge for years to come on every taxpayer. The Taoiseach should accept that but it is something to which he has not yet admitted.

Second, on the budget deficit of the scale of €18.5 or €19 billion that the Taoiseach mentioned, the Fine Gael Party agrees it is critical that we get the deficit to GDP ratio down to 3% by 2014. The Taoiseach can take it that the Fine Gael Party would be happy to accept any advice or assistance from the Department of Finance in determining our proposals to deal with the budget deficit for 2011——

An Ceann Comhairle: A question Deputy, please.

Deputy Enda Kenny: ——and will engage constructively with the Government in that regard.

What has happened is that the hopes and the spirits of hundreds of thousands of people have been shattered by what they were told last year, namely, that if they made these contributions and sacrifices, it would go a long way towards sorting out the position. That is not the truth of the matter.

We have a situation now where €100,000 is spent on a child in prison and €5,000 on a child in primary education. We have a situation where the State does not want to know children on the streets until they reach the age of 18, when they are no longer the responsibility of the State. Hundreds and thousands of businesses are today suffering from lack of credit——

An Ceann Comhairle: Could we have a question from the Deputy?

Deputy Enda Kenny: ——and there is no assistance from banks to allow them continue and do their business.

How can this party, any other party or even the Government decide to put forward its plan for the 2011 budget if it does not know the figure and the target or what are to be the scale of cuts? I ask the question again Taoiseach. Is the figure €3 billion, €3.5 billion or €4 billion because this party, for its part, will present our view of what the strategy should be, as we did previously, where jobs and growth were central to what we had to say? On each occasion in the past three years that we put forward sensible, practical, costed proposals, they were rejected out of hand by the Government.

I would like to hear from the Taoiseach, after consideration by the Cabinet and all the people on the opposite side of the House, the figure for 2011. We need to know if it is €3 billion, €3.5 billion, €4 billion or more so that, for our part, as one party, we can engage with officials from

the Department of Finance or whatever to put forward our view of an alternative to provide jobs and growth and point a pathway to restoring our country's good fortunes.

The Taoiseach: First, when we are talking about recapitalising the banks, as we are with two of these banks, and also financing an orderly wind-down of two others which have failed, that is clearly a case of the taxpayer being the ultimate payer of these payments. That is the truth. Our national debt will increase as a result of it. I am simply explaining the method by which it is a manageable issue for us in cash flow terms into the future. It is not correct to say that it requires a €4 billion repayment every year for the next ten years. It is about the fact that we will increase our debt, pay the interest on that debt and do it using a promissory note method which, over time, will have that impact so that by the end of the period we will be talking about a repayment of the €1.72 billion. Those are the figures brought forward by the Department of Finance. In the meantime, there is an incremental build-up of interest over that time. I say that for the purpose of clarification because it has been suggested that the taxpayer is being hit for €4 billion next year every year for the next ten years. I saw that in a statement recently.

Deputy Enda Kenny: Who said that?

The Taoiseach: I saw that in a statement from a Member of the House yesterday or today.

Deputy Enda Kenny: It was not suggested from here.

(Interruptions).

The Taoiseach: The second point I want to make concerns the Deputy's question regarding the budget for next year. That figure is being worked on currently by the Government.

A Deputy: Can the Taoiseach produce it?

The Taoiseach: The Government is in the midst of Estimates in regard to the 2011 budget and we are now having to bring this other requirement of a four year budgetary framework because that is in the interests of the country. I note that on the basis of what we announced last week the spread reduced from 6.9% to 6.1%.

Deputy Enda Kenny: What is the figure for next year?

The Taoiseach: We need to ensure that the markets generally and, more importantly, we as a people can see what the real options are for the country and what are the expenditure and taxation implications to meet this requirement of reducing our deficit to 3%. That is an obligation on this or any other Government during that period.

Deputy Enda Kenny: Has the Taoiseach decided on the figure?

The Taoiseach: On the issue Deputy Kenny is talking about, we will come up with that in mid-November and then in December we will introduce the 2011 budget. In terms of the purpose of what we are bringing forward, it is needed to ensure a credible pathway is set out by this country as to how we reach the deficit reduction we agreed to last February.

Deputy Enda Kenny: So the Taoiseach does not know the scale of what is involved, whether it is €3.5 billion or €4 billion.

Deputy Eamon Gilmore: Most people in the country are in a state of shock at what we heard on Thursday about the eventual cost of bailing out the banks — coming in at €50 billion — and all of the implications of that for public finances, taxation, State borrowing and the cost of

[Deputy Eamon Gilmore.]

borrowing. During the month of September, RTE ran two documentaries, entitled, “Freefall”, which dealt in particular with the bank guarantee and what led up to it. In the course of those documentaries, it was reported that on 29 September 2008, the top people in Anglo Irish Bank went to Bank of Ireland and told the top people there that Anglo Irish Bank was facing insolvency and might not be able to open its doors the following morning. They asked Bank of Ireland to take over Anglo Irish Bank, but Bank of Ireland refused to take it over. However, it appears Bank of Ireland shared that information with Allied Irish Banks and that both of them then went to the Government to discuss the impending crisis. Arising from those discussions, the Government made the decision to go ahead with the blanket guarantee of the six banking institutions, including Anglo Irish Bank. When he and the Minister for Finance were making that decision, did the Taoiseach know that Anglo Irish Bank was facing insolvency?

The Taoiseach: No, I did not.

Deputy Eamon Gilmore: It is very strange that a series of events was triggered by Anglo Irish Bank people going to Bank of Ireland and telling them Anglo was facing insolvency and that this caused both Bank of Ireland and Allied Irish Banks to come rushing down to Government Buildings to talk about the banking crisis without ever mentioning that Anglo Irish Bank faced insolvency. Did the two banks not tell the Taoiseach what they believed to be the case? Did Bank of Ireland people not tell the Taoiseach that they had been told that Anglo Irish Bank faced insolvency? Did the Taoiseach never raise the question of Anglo Irish Bank’s solvency? That seems strange, because a few days previously, according to the documents that have been provided to the Committee of Public Accounts, the then Secretary General of the Department of Finance appeared to be in that territory. The note of that meeting stated that Mr. Doyle noted that the Government would need a good idea of the potential loss exposures within Anglo Irish Bank and Irish Nationwide and that on some assumptions the exposure of Irish Nationwide could be €2 billion after capital and that of Anglo Irish Bank could be €8.5 billion.

A number of days before the meetings on 29 September, senior Government officials were certainly in insolvency territory in their discussions. Incidentally, according to the list of attendees at that meeting, the Taoiseach was present at it. It is very strange that in circumstances where senior Government officials were talking about solvency issues in Anglo Irish Bank, where that bank had gone to Bank of Ireland and said it faced insolvency and where Bank of Ireland and Allied Irish Bank people came rushing down to Government buildings in crisis mode, that they would not have shared that information with the Taoiseach. Is that what the Taoiseach is telling us?

The Taoiseach: This point has been made clear previously. I want to make it clear to Deputy Gilmore that the issue here, which has been confirmed in reports which have been undertaken on behalf of the House, is that Anglo Irish Bank was a bank of systemic importance. Clearly, there were questions about liquidity issues arising in the banking system. There was also the question of what was the best thing to do for the next morning to avoid a run on banks and any contagion effect that would have. The decision taken — people in attendance on the night in question would have included the person mentioned in one of the Deputy’s supplementary questions — was that a guarantee of the banking system was the best solution to the problem. An extensive guarantee has been confirmed by Professor Honohan as being necessary. He also confirms in his report that this was a bank of systemic importance, something the Deputy has questioned over 18 months.

Deputy Joan Burton: That is not true.

The Taoiseach: He also confirmed that were any bank allowed to go down, we would have had a meltdown in the banking system within days or weeks. That would have been the consequence had we adopted Labour Party policy at the time. Labour Party policy now seems to suggest that the issue was really the extent of the guarantee. That was not the Labour Party position at the time. The Labour Party seems to be trying to reinvent itself on that, just as the Deputy was trying to reinvent himself in trying to remember what party he joined when he left UCG. He could not remember whether it was Sinn Féin The Workers Party or the Workers Party.

The point is that Labour Party policy on the banking issue was wrong. It would have brought about a meltdown of the financial system, a nuclear winter in this country and hundreds and thousands of jobs would have been lost.

Deputy Kathleen Lynch: What spooked the banks?

An Ceann Comhairle: The Taoiseach, without interruption please.

The Taoiseach: Yet, Deputy Gilmore comes in here and suggests that the Labour Party had a solution to the problem that would have saved us.

Deputy Kathleen Lynch: What spooked the banks?

Deputy Brendan Howlin: The Taoiseach has not answered the question.

The Taoiseach: I have answered the question and my response is very clear. We took all necessary steps to preserve our economic system after making our decision. I believe it was the right decision and that the independent reports that have followed it have been in favour of that decision, with the exception of the issue of subordinated debt, which is 3.3% of the total volume guaranteed on the night. I will accept it as a criticism that I am 97% right rather than 100%, but I will not accept the subsequent criticism of the Labour Party which has described the guaranteeing of the banks on that night as the worst decision made in the history of the State.

Deputy Joan Burton: Definitely.

The Taoiseach: Let me make it clear, the current Governor of the Central Bank says that had we listened to the Labour Party view, we would have had a meltdown of the financial system and this economy would have been set back decades.

Request 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 notice under Standing Order 32. I call Deputy Aengus Ó Snodaigh.

Deputy Aengus Ó Snodaigh: Ba mhaith liom cead a iarradh an Dáil a chur ar athló chun déileáil leis an gnó rí-thábhachtach seo faoi riar Ordú 32, namely, the urgent need for the Government to respond to the publication today of the 1st monitoring report into the adequacy of housing in Dolphin House by intervening to secure the prompt and progressive realisation of the residents' rights. This report is a damning indictment of State failure. Specifically, the Government needs to make a statement today detailing precisely what will be done immediately to address the sewage, damp and mould which have a terrible impact on the health of residents and a proven link with lung disease and needs to update this House on the long-promised and much needed regeneration of the estate.

An Ceann Comhairle: Having considered the matter raised, I do not consider it to be order under Standing Order 32.

Order of Business

The Taoiseach: It is proposed to take No. 1, Child Care (Amendment) Bill 2009 [*Seanad*] — Second Stage, to adjourn at 7 p.m. tonight, if not previously concluded; No. 18, statements re Minister for Finance's announcement on banking of 30 September 2010 (resumed). It is proposed, notwithstanding anything in Standing Orders, that the Dáil shall sit later than 8.30 p.m. tonight and business shall be interrupted not later than 10 p.m. Private Members' business shall be No. 73, motion re health service cutbacks.

An Ceann Comhairle: There is one proposal to be put to the House. Is the proposal that the Dáil shall sit later than 8.30 p.m. agreed to? Agreed.

Deputy Enda Kenny: Would the Taoiseach like to comment on the information available to him consequent on the bomb in Derry, an issue of serious concern? The House has discussed the security issue over the past 18 months or so and clearly the threat, which was referred to by the Garda Commissioner, the Chief of the PSNI and the head of MI5, has now become a reality. I assure the Taoiseach of the full and total support of the Fine Gael Party, as has always been the case, for the efforts of Government to continue a high level of vigilance in order that this threat can be dealt with and the consequences of the Good Friday Agreement can continue, namely peace and harmony among communities and people being allowed to get on with their lives. I assure the Taoiseach of our support on that. Perhaps the Taoiseach will either make arrangements to convey the information to us or make a statement about the information available to him as to whether these persons can be apprehended or what is the story.

Second, what is the position regarding the Attorney General's examination of the wording produced by the all-party committee last February, which was agreed following legal advice, on the question of a referendum on children's rights? He has been examining this for some time. Will the Taoiseach report to the House on what progress the Attorney General has made in his examination and when it will conclude? Has the Government considered when the referendum will be held?

The Taoiseach: I cannot anticipate of the outcome of that work, which is ongoing. The Minister of State at the Department of Health and Children, Deputy Barry Andrews, is in charge of it and he will report to the Government in due course. Many issues arise, which I have mentioned on Question Time previously, and they are being worked through at the moment. I cannot anticipate the outcome.

With regard to the bombing last night, I condemn and deplore this wanton act of violence in Derry. It served no purpose, only the destruction of property. Thankfully, no lives were lost. It was an appalling incident, which serves no political purpose and which will have no effect. Co-operation between the Garda and the PSNI on these issues is good and unprecedentedly close in every way and they will continue to work together to see in what way they can identify the perpetrators and make sure they are brought to justice.

Deputy Eamon Gilmore: I join the Taoiseach and Deputy Kenny in expressing serious concern about what happened in Derry last night and I hope the Garda and PSNI are successful in finding out who was responsible, dealing with them and bringing them to justice. A significant amount of this type of activity has been building up for some time and it needs to be dealt with before it gets serious.

I refer to the local government (Dublin mayor and regional authority) Bill in the Government's legislative programme. When will it be published? When does the Taoiseach intend that the House will deal with it? What is the estimated annual cost of this measure?

The Taoiseach: I understand we should see publication of that Bill in the next few weeks. I hope it can be taken this session. I do not anticipate any additional costs, as will be outlined on publication of the legislation. That is not the purpose of the measure.

Deputy Eamon Gilmore: Are the rate payers of Dublin city and county to pay for this then? How will there not be additional costs? This is a new office. The McCarthy report recommended the abolition of regional authorities while it is proposed to legislate for regional authority for Dublin in this Bill. I do not understand how there cannot be costs attached to it. How will it be financed?

An Ceann Comhairle: I must advise the Deputy that inquiries about the details of a Bill are not contemplated on the Order of Business.

Deputy Eamon Gilmore: Yes, but it is a normal feature of any Bill for us to be informed of its estimated cost in the explanatory memorandum circulated with it. The Taoiseach seems to have indicated that the memorandum that will circulate with this Bill will indicate there will be no cost. If that is the case, how will that happen?

The Taoiseach: I do not anticipate additional costs. I believe that we will be able to come forward with a proposal which will ensure that the mayoralty will be accommodated within the considerable moneys allocated to and expended by local authorities in the Dublin area.

Deputy Bernard J. Durkan: In other words, there will be cuts to accommodate the new position.

Deputy Caoimhghín Ó Caoláin: I once again confirm that the House is unanimous in roundly rejecting what happened in Derry last night and I take the opportunity once again on behalf of Sinn Féin to appeal to those responsible to desist in their actions and to review how they could play a constructive role in the pursuit of their stated objectives.

With regard to promised legislation, the State has not ratified the UN Convention on the Rights of Persons with Disabilities and one of the essential steps in bringing us to that point is the passage of the mental capacity Bill. At what stage is preparation of the Bill? When will it be published?

The revised programme for Government promised an independent electoral commission but going through the legislative programme for the current session, there is no reference to this promised legislation. When will such legislation be published?

The Taoiseach: I understand the mental capacity Bill will be published this session. Ireland has signed the ratification of the UN Convention on the Rights of Persons with Disabilities and there will not be an undue delay in following up on that. It is the Government's intention to do so as quickly as possible, taking into account the need to ensure all necessary requirements under the convention are being met.

Deputy Caoimhghín Ó Caoláin: I understand the convention has not been ratified.

The Taoiseach: That is right.

Deputy Caoimhghín Ó Caoláin: Is the Taoiseach confirming that is the case?

The Taoiseach: We have to take that into account the need for all the necessary requirements under the convention to be met. We hold to the legal tradition of not ratifying treaties until it is considered that domestic law in general is in conformity with them. While Ireland has not ratified the convention, that does not mean progress is not being made in meeting the requirements. It means that when we ratify it, the process of implementing its provisions will be enhanced. That is the way in which we will proceed.

Deputy Caoimhghín Ó Caoláin: Is the Taoiseach certain that we will have the mental capacity Bill this session? Can he guarantee that?

The Taoiseach: I am informed that the answer is “Yes”.

Deputy Caoimhghín Ó Caoláin: Regarding my second question on the independent electoral commission promised in the programme for Government, when will we see legislation to bring that about?

The Taoiseach: There is a great deal of work to be done on that, which is ongoing. I will get the line Minister to talk to the Deputy about that directly.

Deputy Bernard J. Durkan: How many amendments to the Multi-Unit Developments Bill 2009, which is in committee, have been processed?

An Ceann Comhairle: That is detail about which the Deputy should not ask on the Order of Business.

The Taoiseach: I understand that issue is resuming at committee tomorrow.

Deputy Bernard J. Durkan: That was the answer to the question but one has to put it in a certain way.

I am a little concerned about another issue. A number of Bills are awaiting Committee Stage, including the Spent Convictions Bill 2007, Student Support Bill 2008, Employment Law Compliance Bill 2008, Industrial Relations (Amendment) Bill 2009, Criminal Justice (Forensic Evidence and DNA Database System) Bill 2010, Criminal Justice (Public Order) Bill 2010 and Nurses and Midwives Bill 2010. Some of the Bills have been awaiting Committee Stage for a considerable time. Why? Will the Taoiseach indicate the degree of urgency, if any, that will be attributed to their early process through the committee system?

The Taoiseach: The issue of when they can be taken is dealt with by the relevant Minister and committee clerk. A parliamentary question to the line Minister would be the best way to elicit such detail.

Deputy Bernard J. Durkan: Another part of the question which is relevant at the moment relates to the collective investment (consolidation) Bill which has been on the Order Paper for a considerable time. I am sure everyone agrees it is pertinent and urgently required and that a debate should be facilitated in the House as soon as possible. Publication is not expected at this stage. Why is this the case?

The Taoiseach: Consultations are ongoing with the Department of Finance.

Deputy Bernard J. Durkan: Is there any indication as to when those consultations might be completed, given the urgency of the situation?

The Taoiseach: No, I do not have that information.

Deputy Bernard J. Durkan: Would it be possible to make some inquiry?

The Taoiseach: I would not wish to anticipate the ongoing consultation. That is the information as of now. There is no point in anticipating what will materialise.

An Ceann Comhairle: We can revisit that matter at another time.

Deputy Bernard J. Durkan: No, a Cheann Comhairle, this relates to something that has been brought before the House in the last few days. With regard to the use of the word, “ongoing”, we need to know what is the conclusion and we need to know the end line. It took two years to give some indication as to what was the true position with regard to other issues before this House. This is an urgent issue. I again ask the Taoiseach if there is any intention to have discussions with the relevant line Department to bring the information before the House and to bring the Bill before the House as soon as possible in these very important times.

An Ceann Comhairle: The Deputy should submit a question to the line Minister.

The Taoiseach: There is no date for that legislation at the moment. That is my information.

Deputy Bernard J. Durkan: Is the Taoiseach aware——

The Taoiseach: I sought to be helpful but the Deputy has a different view on this.

Deputy Bernard J. Durkan: I am not being flippant——

An Ceann Comhairle: Deputy, please. Brief inquiries on the Order of Business about the position with regard to legislation are permissible but a detailed——

Deputy Bernard J. Durkan: Sorry, a Cheann Comhairle, this is important legislation. I am not asking for detail, I am asking for a precise time——

An Ceann Comhairle: ——and prolonged debate about the matter when the Deputy has been given an answer is not appropriate for the Order of Business.

Deputy Bernard J. Durkan: The Ceann Comhairle is only interested in interrupting me. This is important legislation which is pertinent at this time. It has been the subject of discussion in this House for the past two years. I am again asking the Taoiseach whether he attaches any importance to the introduction of that legislation.

The Taoiseach: I do not mean to disappoint the Deputy but I am unable to add to what I have already said on the matter.

Deputy Bernard J. Durkan: The Taoiseach does indeed disappoint me and I know he is upset about that.

Deputy Joan Burton: Is it proposed that the Minister for Finance or the Taoiseach make a detailed statement to the House with regard to Allied Irish Bank, the timescale and the consequences for the public purse?

An Ceann Comhairle: Is this a question on promised business?

Deputy Joan Burton: Yes.

An Ceann Comhairle: I remind the Deputy statements are ongoing and the House will be resuming statements on these matters at 8.30 p.m.

Deputy Joan Burton: I refer to an announcement at the weekend in some newspapers that three people from PriceWaterhouseCoopers were being appointed to some kind of management team in respect of Allied Irish Bank.

An Ceann Comhairle: The Deputy will have to pursue this matter through a different avenue. It is out of order on the Order of Business.

Deputy Joan Burton: No, it is not.

An Ceann Comhairle: Yes, it is. Is there promised legislation to accommodate what the Deputy is inquiring about?

Deputy Joan Burton: The Ceann Comhairle allowed Deputy Durkan speak for nearly ten minutes. I will explain what my inquiry is. In the statement delivered to the House about the financial disaster the Taoiseach made reference to exploring with the Attorney General the issue of legislation dealing with bank resolution. Is this contemplated in the context of AIB?

Second, the Minister for Finance wrote to me stating he was exploring whether legislation was required regarding the Government's proposal in respect of Anglo Irish Bank on a funding bank and an asset recovery bank. Will the House be given clarification? The sums involved are very considerable——

An Ceann Comhairle: We will be recommencing on statements on the banking issues at 8.30 p.m.

Deputy Joan Burton: Those are statements. The Minister for Finance is not committed in that regard. I am concerned here with the Minister for Finance elaborating——

An Ceann Comhairle: The Order of Business is confined to questions on promised legislation and only these are permitted, certainly not a Second Stage contribution on the matter.

Deputy Joan Burton: ——on what are the future Government requirements for Allied Irish Bank and what are the proposals.

An Ceann Comhairle: The detailed information the Deputy requires can be elicited by means of parliamentary question to the line Minister. The Deputy is completely out of order.

Deputy Joan Burton: In the recent statement on this a reference was made to exploring with the Attorney General the question of whether there would be legislation.

An Ceann Comhairle: The Deputy should submit a question to the line Minister. I have allowed her considerable latitude on the matter. The Deputy should please resume her seat.

Deputy Joan Burton: Does the Government even know what was in the statement? Do Ministers read their own statements? Did the Taoiseach read it? What is the view of Allied Irish Bank?

An Ceann Comhairle: The Deputy should resume her seat. I call Deputy Ó Snodaigh.

The Taoiseach: It is clear the Deputy did not read the statement.

Deputy Joan Burton: There is a question about legislation. Did the Taoiseach even read his own statement? I know he finds it hard to do so at times but did he read it?

An Ceann Comhairle: The Taoiseach has indicated he will respond.

Deputy Joan Burton: What is in it for Allied Irish Bank and for Anglo Irish Bank? It is a reasonable question.

An Ceann Comhairle: The Taoiseach without interruption, please.

The Taoiseach: As the Minister for Finance set out clearly in his banking statement last week, his Department, in conjunction with the Office of the Attorney General, is working on resolution and reorganisation legislation which will enable the implementation of reorganisation measures specific to Anglo Irish Bank and Irish Nationwide Building Society, which will address the issue of burden sharing. In order to achieve the Government's objective of securing appropriate burden by holders of debt in Anglo and INBS, the legislation will be consistent with the requirement for the legislative measures to be recognised as a reorganisation under the relevant EU directive in other EU member states. While no specific issues have been identified to date, work on the legislation will also consider the requirement for any other legislative measures to support restructuring of Anglo and INBS. When this work is completed, the necessary legislation will be tabled in the House. The precise timeframe for preparing this legislation is currently being examined and I am confident it can be completed reasonably quickly.

Deputy Joan Burton: The statement also anticipated that Ireland would possibly return to the bond markets in January. Is it possible to return to the bond markets —

An Ceann Comhairle: The Deputy will have to submit a parliamentary question.

Deputy Joan Burton: —before this legislation is introduced?

Deputy Aengus Ó Snodaigh: Is the Taoiseach aware of a serious situation developing outside the gates of Leinster House where a taxi driver has commenced a hunger strike to highlight the appalling state of the taxi business?

An Ceann Comhairle: That is not appropriate for the Order of Business. There are other ways of addressing the matter but not on the Order of Business.

Deputy Aengus Ó Snodaigh: I am asking about legislation which I hope will be forthcoming and which would address the appalling state of the taxi industry, the high rate of suicides among taxi drivers and the failure of the taxi regulator to deal with the issue to date. The Minister has refused to meet with delegations from the various taxi representative associations. Is the Taoiseach aware of the circumstances? Is there any intention to introduce a taxi regulator (amendment) Bill which, hopefully, would deal with some of the shortfalls in the industry and the way it is regulated?

An Ceann Comhairle: We will inquire about the legislation for the Deputy.

Deputy Aengus Ó Snodaigh: I am inquiring about the legislation and whether the Taoiseach intends to introduce any legislation.

Deputy Thomas P. Broughan: On the same issue—

The Taoiseach: I understand there is no legislation promised.

Deputy Thomas P. Broughan: —I met some of the taxi leaders last night. These men and women are so desperate as a result of the Government's regulation of the taxi industry that they are prepared to go on hunger strike outside these gates and they may even have begun that strike in the past hour.

An Ceann Comhairle: The Taoiseach has given an answer to the previous Deputy's inquiry.

Deputy Thomas P. Broughan: Will the Taoiseach ask the head of the National Transport Authority, as Deputy Frank Fahey promised —

An Ceann Comhairle: The Deputy should submit a parliamentary question to the line Minister.

Deputy Thomas P. Broughan: —to meet the leaders of the Irish Taxi Council?.

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

Deputy Thomas P. Broughan: They have asked to meet him but he will not meet them. I ask the Taoiseach to organise such a meeting and avoid a deterioration in the situation.

A Deputy: They have been trying to meet the Minister for a couple of years.

An Ceann Comhairle: The Deputy should submit a question to the line Minister.

Deputy Tom Sheahan: Will the Taoiseach give an indication of when the RTE mast at Mullahanish will go digital and give the people of Kilgarvan a television service?

An Ceann Comhairle: That is a question for the line Minister. I have ruled out others on this matter and I reluctantly I have to rule the Deputy out of order and ask him to resume his seat.

Deputy Michael Fitzpatrick: Jackie has looked after that.

Deputy Pat Rabbitte: The mind boggles.

One of the matters raised by Deputy Durkan related to the Spent Convictions Bill. It is a minor item of legislation that began life as a Private Members' Bill. It is important to many people and I ask the Taoiseach to use his influence to expedite its conclusion.

On the statement read out by the Taoiseach about AIB, I notice he is sending in PricewaterhouseCoopers to manage the place. That company received €5 million in fees—

An Ceann Comhairle: Deputy Rabbitte is drifting into uncharted waters.

Deputy Bernard J. Durkan: Yes.

Deputy Pat Rabbitte: —when it was sent into Anglo Irish Bank. I hope the Minister will ensure PricewaterhouseCoopers probes a little deeper than it did in the case of Anglo Irish Bank.

The Taoiseach: That legislation referred to is awaiting Committee Stage and I hope it can be organised soon.

Deputy Seán Sherlock: I seek permission for a debate on the matter of outstanding investigations by the European Commission in respect of breaches of environmental law, in particular with regard to the east tip of the Haulbowline site.

An Ceann Comhairle: Did Deputy Sherlock discuss the matter with his party Whip?

Deputy Seán Sherlock: The European Commission is investigating breaches of the law with regard to the clean-up of that site. Those in the bay area and the town of Cobh are left hanging in the wind because of a lack of solution to this problem.

An Ceann Comhairle: A parliamentary question will elicit the information.

Deputy Seán Sherlock: With respect, I ask that the House debate the matter and other issues relating to breaches of EU law.

An Ceann Comhairle: Private Members' time would be ideal time to discuss the matter.

Deputy Liz McManus: The proposal to publish the postal services Bill this session is welcome. Liberalisation must take place on 1 January 2011. Since the Minister for Communication, Energy and Natural Resources and the Chief Whip are present, can the Taoiseach ensure the convention that is supposed to be applied in this House — where there are two weeks between publication of the Bill and the taking of the Bill — will be honoured for what is a significant item of legislation in terms of the future of our postal services?

The Taoiseach: I cannot give a blanket assurance of that kind. It is a matter for the ordering of the Dáil business by the Whips on the proposition of the Government Whip. We will try to ensure we can provide adequate time but I cannot give that commitment.

Deputy Joe Carey: What is the position with regard to the Greyhound Industry Act? When will amendments to it be published as a result of the Dog Breeding Establishments Act?

The Taoiseach: That will be coming to Government shortly.

Deputy Leo Varadkar: Perhaps the Ceann Comhairle or the Taoiseach can assist me with an item on the Order Paper that was laid before the Oireachtas last week. It concerns secondary legislation and the manner in which this House is treated. This concerns the treaty amending, with regard to Greenland, the treaties establishing the European Communities and protocol done at Brussels on 13 March 1984. Ireland's instrument of ratification was deposited with the Italian foreign Ministry on 24 January 1985 and entered into force with respect to Ireland on 1 February 1985. It was laid before the House on 1 September 2010, 25 years after it was signed by the Minister. I hope the Taoiseach or the Ceann Comhairle can explain this matter. It seems we have Government by decree in this State and the Government can sign a statutory instrument or adopt a particular matter——

5 o'clock

An Ceann Comhairle: It is advisable to submit a parliamentary question in the first place. That is the starting point.

Deputy Leo Varadkar: Perhaps I will do that but I am interested to hear from the Taoiseach or the Ceann Comhairle why it is tolerated that this can be laid before the House 25 years later.

An Ceann Comhairle: The question is on secondary legislation. I suggest Deputy Varadkar begin with a parliamentary question and follow on from there.

Deputy Emmet Stagg: On a point of order, Deputy Varadkar is entitled to ask a question about secondary legislation. If the answer is not available on the day, it is up to the Government to provide the answer separately. Standing Orders provide for this and the Deputy is quite in order to ask a question on secondary legislation.

The Taoiseach: I do not know the reason without notice and no one else would know the reason for the inordinate delay without notice. It is surprising the Government of the day did not lay it before the Houses of the Oireachtas.

Deputy Seán Power: What were they looking for when they found it?

Vehicle Immobilisation Regulation Bill 2010: First Stage

Deputy Simon Coveney: I move:

That leave be granted to introduce a Bill entitled an Act to provide for the regulation of vehicle clamping activities on private land as part of the effective management of traffic by the National Transport Authority in accordance with the functions of that authority; to provide for the offence of unlicensed vehicle immobilisation or using unlicensed vehicle immobilisers and to make provision for connected matters.

An Ceann Comhairle: Is the Bill opposed?

Minister for Transport (Deputy Noel Dempsey): No.

Question put and agreed to.

An Ceann Comhairle: Since this is a Private Members' Bill, Second Stage must, under Standing Orders, be taken in Private Members' time.

Deputy Simon Coveney: I move: "That the Bill be taken in Private Members' time."

Question put and agreed to.

Child Care (Amendment) Bill 2009 [Seanad]: Second Stage

Minister of State at the Department of Health and Children (Deputy Barry Andrews): I move: "That the Bill be now read a Second Time."

Special care involves the civil detention of a child in the interest of his or her welfare and protection in a special care unit where educational and therapeutic supports are provided to the child in a secure environment. Special care is provided where it is in the best interests of the child, and as a last resort, when other forms of residential or community care are considered to be unsuitable. The objective of special care is to provide a stabilising period of planned care, which will enable a child to return to less secure care or to return home as soon as possible.

During the period of special care, the child and his or her family, are supported by a range of staff including social care workers, social workers, psychologists and teachers who work to achieve the objectives set out in the care plan specifically developed for the child. The special care may include medical and psychiatric assessment, examination and treatment, as appropriate.

The Children Act 2001 amended the Child Care Act 1991 to allow for applications for special care orders to be heard at District Court level. The High Court, under its constitutional power of inherent jurisdiction, is currently hearing applications for children to be detained for special care to be provided to them by the HSE. The objectives of the Child Care (Amendment) Bill 2009 are to amend Part IV(A) of the Child Care Act 1991 to allow the Health Service Executive to apply to the High Court for special care orders to detain children in need of special care services. The Bill sets out the processes to be followed from consideration of the child for special care, the application for the order, the hearing of the case, the granting of the order, the care of the child under the order, right through to the discharge of the order. The Bill also

provides for the dissolution of the Children Acts Advisory Board in accordance with Government policy in regard to efficiency savings and the ongoing need for the rationalisation of State agencies.

Part 1 of the Bill comprises sections dealing with short title, collective citations, commencement and definitions. Part 2 provides for the amendment of the Child Care Act 1991. In this respect, the Bill provides, that in determining whether a child requires special care, the HSE must be satisfied the behaviour of the child poses a real and substantial risk to his or her life, health, safety, development or welfare. The HSE must assess the child's care requirements and be satisfied that care other than special care cannot address the child's needs. The Bill provides for the HSE to consult with the child's parents, or a person acting *in loco parentis*, and also to convene a family welfare conference. The HSE may decide not to consult with the child's parents, or a person acting *in loco parentis*, or not to convene a family welfare conference where it is satisfied that to do so is not in the best interests of the child. Where the HSE applies for a special care order without having carried out the consultation or not having convened a family welfare conference, it shall inform the High Court of this and the grounds for not doing so. The Bill also provides that the Health Service Executive will be required to publish procedural guidelines for carrying out consultations and convening family welfare conferences.

The Bill allows the Health Service Executive to apply to the High Court for a special care order for a child between the ages of 11 and 17. If the High Court grants the order, the Health Service Executive will provide special care to the child who will be detained in a special care unit.

The Bill also provides for various circumstances where the child is, or has been, the subject of criminal proceedings, including provisions whereby the Health Service Executive may apply for a special care order, or may continue to provide special care, where a child has been charged. The Health Service Executive may also apply for a special care order for a child who has been found guilty or convicted of a criminal offence and where, following that conviction a custodial sentence has been imposed and that sentence has been served.

Similarly, the Health Service Executive may apply for a special care order or may continue to provide special care where a suspended custodial sentence has been imposed on a child, the making of a children detention order has been deferred or has been suspended, or a Children Act order has been made in respect of a child.

However, the Health Service Executive shall not apply for a special care order where a child is remanded in custody, or where a custodial sentence is imposed on a child, and if these arise while the child is the subject of a special care order the Health Service Executive shall apply to the High Court to discharge it. The Health Service Executive is also obliged to make arrangements to allow the child to meet with any person for the purpose of his or her representation and for the child's attendance in court in respect of any criminal charge.

As mentioned earlier, special care is providing a child with care which addresses his or her behaviour and the risk of harm it poses to his or her life, health, safety, development or welfare. Special care also addresses the child's care requirements. It includes medical and psychiatric assessment, examination and treatment and educational supervision. While such care is provided in a special care unit, it may include the release of the child from the unit during the period of the order. The Bill provides that where the Health Service Executive considers such a release necessary, it is required to apply to the High Court to vary the special care order to authorise the release of the child from the unit.

The Bill provides that such releases may be for placing the child in a children's residential centre or for permitting the child to reside with a parent or a relative for a specified period, or to provide medical or psychiatric examination, treatment or assessment and also for educational

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and recreational outings from the special care unit. Releases may also be to allow the child reside with a parent or a relative who resides outside the State or to provide medical or psychiatric examination, treatment or assessment to the child outside the State.

The Bill provides that where a special care order has effect, the Health Service Executive shall have the like control over the child as if the Health Service Executive were a parent of that child and may do what is reasonable to promote and protect the child's health, development or welfare and the Health Service Executive has the authority to decide on the special care to be provided to the child. The Bill, in section 23ND, restates provisions in the Child Care Act 1991 in respect of the authority of the Health Service Executive to give consent to any medical or psychiatric examination, treatment or assessment in respect of the child. An amendment has been made to section 23ND of the Bill, during its passage through Seanad Éireann, the effect of which is that while the Health Service Executive can give its consent, it does not affect the validity of any medical treatment decision which can lawfully be made by the parents, guardians or the child. The Health Service Executive is also given the authority to give consent to the application for and issuing of a passport for the child.

The Bill provides that a special care order shall cease to have effect when a child attains 18 years of age. The High Court, in any proceedings under this Bill, is required to have regard to the rights and duties of parents whether under the Constitution or otherwise, and to regard the welfare of the child as the first and paramount consideration and, as far as is practicable, to give consideration, having regard to the child's age and understanding, to the wishes of the child.

The High Court may order that the child be joined as a party to the proceedings and may make an order appointing legal representation for the child. Costs and expenses incurred in the proceedings on behalf of the child shall be paid by the Health Service Executive. The Bill provides that where the child is not a party to the proceedings the High Court may, where it is satisfied that it is necessary in the child's interests, appoint a guardian *ad litem* for the child. A guardian *ad litem* shall promote the best interests of the child and, in so far as it is practicable, having regard to the age and understanding of the child, shall convey the views of the child to the court. Costs and expenses reasonably incurred on behalf of the guardian *ad litem* shall be paid by the Health Service Executive. The High Court has discretion to appoint legal representation for the guardian *ad litem*.

The Bill provides that a special care order may be up to three months duration. The High Court, on the application of the Health Service Executive, may extend the period of the order by up to three months. Only two such applications to extend the period of the order may be made. The High Court in granting an extension must be satisfied that the child is benefiting from the special care being provided, that the risk of harm to the child posed by his or her behaviour continues to exist, and that the child requires the continuation of special care.

The Bill provides that the High Court will undertake a review, in each four week period for which the special care order has effect, to consider whether the child continues to require special care. The court will take account of the assessment of the child's care requirements and the child's need for special care which the Health Service Executive is required to undertake while the child is in its custody. On foot of a review the High Court may vary the special care order and may make other provisions or directions.

The Bill provides that the Health Service Executive may apply to the High Court for an interim special care order. An interim special care order may be for a period of up to 14 days, including any period which has been granted on foot of an *ex parte* application for an interim

special care order. The Health Service Executive can apply to extend the period of the interim special care order by up to a further 21 days. Only one such extension may be granted.

The Bill provides that an *ex parte* application for an interim special care order may be made to the High Court by the Health Service Executive. Such an order may be for a period of up to eight days and cannot be extended. When granting an interim special care order on foot of an *ex parte* application the High Court sets a day, no more than eight days later, for which the hearing of an application for an interim special care order is returnable to the High Court. This hearing is on notice to a parent having custody of the child, a guardian or a person acting *in loco parentis* and the child's guardian *ad litem*.

The High Court may make an order for the purpose of executing a special care order directing a person, having custody of the child, to deliver the child to the custody of the Health Service Executive or directing the Garda Síochána to search, find and deliver the child to the custody of the Health Service Executive. The Bill provides that the High Court may issue a warrant authorising the Garda Síochána to enter, if needs be by force, any house or other premises where the child is thought to be for the purpose of executing a special care order.

Where the High Court makes a special care order, it may, in the interests of justice or the protection of the child, give directions in respect of a named person or persons, which may include a parent, a guardian or a person acting *in loco parentis*, in relation to the withholding of the special care unit's address and the access by a particular person or persons to the child while the child is in the special care unit.

The Bill provides that the Health Service Executive may enter into an arrangement with a person under section 38 of the Health Act 2004 for the provision of a special care unit by a service provider from the private or voluntary sector. Where such an arrangement is made, the special care unit will be subject to any standards and any regulations under the Health Act 2007. In addition, the Health Service Executive is required to supervise and monitor the special care unit under such an arrangement. Where a child is placed in such a special care unit, he or she remains in the custody of the Health Service Executive. The person with whom the arrangement is made cannot apply for a special care order or related orders and the Health Service Executive remains responsible for dealing with any subsequent court proceedings in respect of the child.

The Health Service Executive may release a child where he or she requires immediate medical treatment, assessment or examination, or where the release is required immediately on compassionate grounds. Where this occurs the Health Service Executive is required to inform the High Court as soon as possible.

In respect of court proceedings provided for under the Bill, notice shall be provided to the parent having custody of the child, a guardian or a person acting *in loco parentis* and to a guardian *ad litem*, and where the Bill provides for the proceedings to be instituted by any of the foregoing, the Bill allows for notice to be provided to the Health Service Executive. However, where it is considered to be in the interests of justice and the best interests of the child, the High Court may direct that notice not be given or make other provisions in this regard as it sees fit.

Where the High Court makes an order under the Bill directing a person who has custody of a child to deliver the child to the custody of the Health Service Executive, and the person fails or refuses to comply with the order, or removes a child from the custody of the Health Service Executive without lawful authority, that person shall be guilty of an offence and be liable on summary conviction to a fine not exceeding €3,000 or imprisonment for a term not exceeding six months or both. Proceedings in respect of these offences will be heard in the District Court.

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The Bill provides that where a special care order or an extension of such an order is appealed, the High Court may direct the order to be stayed pending the hearing of the appeal. The High Court may discharge or vary a special care order and may give directions or make an order on any question affecting the welfare of the child as it thinks proper, on the application of the Health Service Executive, a parent of the child, a guardian of the child, a person acting *in loco parentis* or on its own motion.

The Bill provides that proceedings in relation to special care orders shall be heard otherwise than in public. Subject to a direction of the High Court, the Health Service Executive shall, during the period of special care, take all reasonable steps to locate and provide a parent and a guardian or a relative with relevant information relating to the special care and the child's care requirements.

The Bill provides that a parent of a child who is the subject of a special care order, a guardian or a person acting *in loco parentis* or who has a bona fide interest in the child, may request the Health Service Executive, in writing, to carry out an appraisal of the child in respect of the special care provided to him or her, the child's care requirements, the behaviour of the child before the provision of the special care and the risk such behaviour poses to his or her life, health, safety, development or welfare. Where the HSE decides not to carry out an appraisal, it shall notify in writing the person who made the request of the reasons for its decision. That person may appeal the decision within 14 days of being notified. The appeal will be heard by an independent person appointed by the HSE with the consent of the Minister for Health and Children. The HSE will issue guidelines on the procedure to be followed in respect of an appeal. Either the person who made the request or the HSE may appeal on a point of law to the High Court against the decision. A decision of the High Court on an appeal shall be final except that, by leave of the High Court, an appeal from the decision of the High Court shall lie to the Supreme Court on a specified question of law.

The Bill provides for an amendment to section 12 of the Child Care Act 1991. Currently, a garda can enter a building without a warrant if there is not sufficient time to make an application for an emergency care order and there is immediate and serious risk to the health or welfare of the child. The effect of the amendment to section 12 is that a garda who believes there is an immediate and serious risk to the health or welfare of a child can also enter a building without a warrant if there is not sufficient time in the circumstances to obtain a warrant under section 35 of the Child Care Act 1991 to execute an order which has been made by a justice directing that a child be placed or maintained in the care of the HSE.

Part 3 of the Bill provides for the amendment of the Children Act 2001. The Bill provides that a family welfare conference which is convened by the HSE shall consider whether the child requires special care and shall also consider other forms of care which may meet the needs of the child. The Bill also provides that family welfare conferences should be conducted in a manner consistent with fairness and natural justice, and should include a procedure for consulting with the child and for ascertaining the wishes of the child in respect of whom the conference is convened.

Part 4 of the Bill provides for the amendment of the Health Act 2007, which applies the inspection provisions of that Act to special care units.

Part 5 of the Bill provides for the dissolution of the Children Acts Advisory Board. The Children Acts Advisory Board was established under Part 11, section 225 to section 244, of the Children Act 2001 and it has functions as set out in the Child Care (Amendment) Act 2007. In the context of the need to rationalise State agencies, many of the functions of the Children Acts Advisory Board have been subsumed into the Office of the Minister for Children and

Youth Affairs. I am satisfied there will be virtually no loss of functions resulting from the disestablishment of the board as much of its work will transfer to my office. For example, my office currently promotes inter-agency co-operation and co-ordination in the delivery of services, engages in research and disseminates information on issues relating to children — functions which were carried out by the board until now.

Two of the Children Acts Advisory Board's functions relating to special care for children are not being subsumed by my office, as follows: first, publishing criteria, in consultation with the HSE, for the admission to and discharge from special care units, pursuant to section 227(1)(c) of the Children Act 2001, and, second, giving views on any proposal of the HSE to apply to detain children for the purposes of providing special care, pursuant to section 23A(2)(b) of the Child Care Act 1991. These functions were provided for in the context of applications for special care orders being heard in the District Court. It may be argued that the non-continuance of these functions may impact on children who are the subject of applications for special care orders and their parents. However, the current Bill provides that the High Court will have statutory jurisdiction to decide on applications by the HSE for special care orders. This is a high but appropriate level for such cases given that the effect of a special care order is the civil detention of a child.

It is considered that, given the high level and nature of this jurisdiction, there is no need to specifically provide for the Children Acts Advisory Board functions I mentioned previously that are not being subsumed into my office. Also, the HSE has in place an admissions and discharge committee which examines all proposed applications being considered by the HSE for the detention of children for the purposes of providing special care services. Furthermore, the Child Care (Amendment) Bill 2009 will provide for the HSE to publish guidelines in respect of the procedures for the discharge and release of children from special care units and for the provision of care and aftercare to such children.

Part 6 of the Bill sets out transitional provisions on the commencement of the Act.

Last week, I was pleased to launch the Children Acts Advisory Board's research report entitled *Tracing and Tracking of Children Subject to a Special Care Application*. The aim of the report is to improve our understanding of what happens to children who have been referred to special care and to inform the debate about special care. The recommendations in the report set out, in very concise terms, how special care might be reconfigured by the HSE to deliver the optimal service to children. The report provides an invaluable guide to the realities of special care, how best we can improve its provision and how we can deliver the best possible service to children. It is my view that all parties must learn from this report — both from its findings and its recommendations. It is also essential that the evaluation of both policy and practice is maintained to ensure that children are provided with the optimal care and intervention. In addition, a clear statutory basis to provide for special care is of the utmost importance and, therefore, I commend the Bill to the House and look forward to hearing the views of Deputies.

Deputy Charles Flanagan: I am pleased to make a contribution on the Bill. On behalf of the Fine Gael Party, I welcome its entry into this House for debate. It will have the support of Fine Gael on Second Stage, as it had in the Upper House. I wish to flag that there will be a number of amendments on Committee Stage which we can debate. I stress that this is a complex and technical Bill. We will have an opportunity to deal at some length with the detail on Committee Stage.

The Bill is very much court-oriented in content. It is somewhat difficult to grasp a sense from this legislation of the overarching direction the Government is taking in respect of child protection. It is the first amendment to the Child Care Act 1991 since the publication of the

[Deputy Charles Flanagan.]

Ryan report. There is no doubt but that the grave problems in the State's child care services require both a strong and clear vision and a formidable commitment to driving through the reform which is necessary to address the deficiencies and dysfunction, given the extremely serious consequences for vulnerable children in society.

There is something of a contradiction I have found difficult to grasp, particularly in recent times when dealing in some detail with the Minister's portfolio and the departmental portfolio. I have noticed in the House in recent years that, on the one hand, we have, for example, the justified outrage and horror expressed by the Government in respect of historic child neglect and abuse, and, on the other, this is coupled with a certain unwillingness to make the necessary changes to ensure the vulnerable children of today are all properly cared for by the State. There is some level of doublethink which is not morally, logically or legally sustainable. While the appointment by this House and by the Government of a Minister of State with responsibility for children was a positive step in the right direction, given the importance of the issues involved, I believe the position should constitute a full Cabinet post. The scale of the challenge is too great for this post to be a subdivision of another Department — the Department of Health and Children, which is itself beset by myriad complex difficulties and massive deficiencies.

It is not easy to get a sense of the extent of the Government's commitment to child protection. On the one hand, an Oireachtas committee was established with the specific remit of drafting a wording for a proposed amendment to the Constitution to grant children specific rights under the Constitution but, on the other, since that wording was published earlier this year, little action has taken place and a host of obstacles have been cited when we on this side of the House question what the delay might be. On the one hand, reports such as the Ryan report are commissioned and then published while, on the other, facilities such as Ballydowd special care unit continue to be used on a day-to-day basis despite HIQA having declared the unit unsuitable, inadequate and unsafe. On the one hand, the Minister of State, Deputy Andrews, has committed to addressing the lack of social workers but, on the other, a recent HSE report reveals that up to 800 children in the care of the State do not have an allocated social worker. The figure was placed higher, at 912, by the child advocacy group Barnardos last April.

Moreover, the failure to provide for social workers outside office hours is nothing short of an ongoing scandal and a matter that must be addressed as one of great urgency. For some time, the Garda has been warning that the absence of social worker provision outside office hours has created a dangerous situation in which children in need of the greatest care must sometimes spend nights in police station cells, as there is nowhere else for them to go because the Government has consistently refused to provide the vital social worker service and backup that are necessary.

The Minister of State may argue that he is not a magician and cannot solve all of the problems overnight. The fundamental problems that must be addressed are not being addressed. Unsafe special care units cannot remain operational. Children in State care cannot be left without social workers. The neglect of those who require a social worker in the middle of the night cannot continue. The Government cannot continue to stonewall calls for the referendum on children's rights eight months after the draft wording was not only published, but agreed on an all-party basis.

The Bill allows the HSE to enter into an arrangement with a person under section 38 of the Health Act 2004 for the provision of a special care unit, that is, with a service provider from the private or voluntary sector. Such units are subject to the Health Act 2007 and would be under the supervision and monitoring of the HSE. Given the bleak findings of the recent and

many HIQA reports on standards of many care units, however, the provisions of the Bill may be meaningless. At the end of August, HIQA's report into the special care unit at Ballydowd in west County Dublin declared the unit unsuitable, unsafe and inadequate. That report came almost a year after the same body warned that Ballydowd was "no longer fit for purpose". The HSE promised to close the unit, yet it remained open and, to the best of my knowledge, is still operational. How can we be sure the Bill's guarantees that care units will be subjected to agreed standards is anything but meaningless given what is occurring in the State care sector?

When the Minister of State is making his closing comments, will he outline why HIQA was ignored last year in respect of Ballydowd? How can we be sure that any of its warnings will be heeded? What action has he taken since the two HIQA reports on Ballydowd were published to ensure that care units around the country are safe, appropriate and fit for purpose? What are the standards his Department employs in respect of the private care operators? I am given to understand it is relatively easy for anyone to set up as a child care operator in the private sector. One can stick up a plate and advertise one's services. What is the position regarding standards, vetting, suitability and appropriateness? There are certainly deficiencies, to use the Minister of State's own word.

I commend statutory agencies like HIQA and the Office of the Ombudsman for Children for their important work in this area. Furthermore, I pay tribute to the child advocacy groups and their ongoing campaigns to improve State care for children who require such intervention. In particular, I commend them on the essential work they all carry out at the coal face. Their experience and advice are of great assistance to us as legislators when draft legislation such as the Bill before the House is being examined, discussed and amended.

Following the passage of this Bill through the Seanad, Barnardos, the Irish Association of Young People in Care, IAYPIC, and the Irish Foster Care Association, IFCA, continued to express concerns about certain aspects of the proposed legislation. Particular concern has been expressed in respect of section 23ND. The three organisations have sought clarification as to whether the provisions of section 23NF, as they relate to section 23ND, require the HSE to obtain a High Court order before removing the child from this jurisdiction. They believe this is a basic requirement to protect the best interests of any child in special care, subject to removal from the State for the purposes of medical and psychiatric assessment or treatment.

Concerns have been expressed by many experts regarding the Bill's guardian *ad litem* provisions. The Government promised deliberations on the regulation and expansion of the guardian *ad litem* services. Progress in this area is moving too slowly, given that provisions for the guardians *ad litem* were introduced almost 20 years ago in the Child Care Act 1991. The children's ombudsman's office and the Children Acts Advisory Board have identified the need for the guardian *ad litem* to be regulated and for funding and management issues to be addressed. In her submission on this legislation, the ombudsman stated: "Indeed, in the absence of a regulatory structure, it is unclear how the requirements of the guidance with respect to the selection and approval of guardians *ad litem*, the maintenance and updating of panels of approved guardians and the continuing professional development and training of guardians can be addressed." Moreover, the ombudsman and a number of expert groups have recommended that the Minister of State remove payment of guardians *ad litem* from the HSE. Her statement in this respect is worth noting:

In so far as it is possible that there may be a conflict between what is sought by the HSE in the course of care proceedings and what is recommended by a guardian *ad litem*, the independence of the guardian could potentially be undermined by the fact that his or her costs are also paid by the HSE. A guardian *ad litem*'s costs should, therefore, be paid from an independent governmental source with no potential conflict of interest in the case.

[Deputy Charles Flanagan.]

The Office of the Ombudsman for Children makes a cogent argument of which I am supportive. I would be anxious to hear any rebuttal by the Minister of State that might be able to persuade me otherwise.

Barnardos and the other groups have sought clarification on whether the proposed changes to section 26 of the Child Care Act 1991 change the current status of guardians involved in special care order proceedings and care proceedings in the District Court. Whether the guardian is considered a party or a notice party to proceedings, Barnardos, the IAYPIC and the IFCA believe the guardian rather than the court should have responsibility for instructing the lawyer to avoid possible interference with the independence of the guardian as a representative of the child. Barnardos and the other groups further recommend that the provision of a guardian *ad litem* be guaranteed in all cases affecting children subject to special care orders to vindicate the best interests of the child. Will the Minister of State address this recommendation and is he willing to accept it? If not, what are the grounds for rejection?

In the Seanad, concerns were raised regarding what “reasonable expenses” constituted in respect of guardians *ad litem*. The Minister of State pointed out the need to keep legal costs down, a principle we all support, but such cost savings must be rational rather than blunt. Given his stated desire to keep legal costs down and having regard to the highly court-oriented nature of the Bill, will he outline the extent of the in-house legal expertise available to the HSE? Does the HSE have in-house lawyers to handle cases or is there always a need to hire external lawyers? In this regard, it should be noted that, between 2007 and 2009, the HSE spent €2.4 million on child care cases in Dublin and surrounding areas. The Minister of State must address this matter. On the basis of public expenditure, senior counsel must be approved by the court before they can get an audience. This is State money. Some €300,000 was spent in the Dublin District Court on senior counsel, which I find extraordinary. At the outset I stated that the legislation being piloted through by the Minister of State is highly court oriented so it is timely to consider the management of legal fees within the HSE. What is the position regarding the HSE’s in-house legal advice? Why does it always appear ready to hire external lawyers? There is little point in paying lip service to the concept of keeping down legal costs if they are not being properly managed by agencies, in this case by the Health Service Executive.

In respect of the future development of the court structures an interesting point was made by the Ombudsman for Children who recommended the creation of “a more unified court process at a regional level, with specially trained and properly resourced judicial personnel, looking at the full spectrum of children’s care needs”. That is a most interesting suggestion. It is not one I believe can be resolved by the intervention of, or even by the recommendation of, the Minister of State with responsibility for children. None the less I ask the Minister of State, Deputy Andrews, to indicate whether he is open to discussing such a proposal with his colleague, the Minister for Justice and Law Reform because it could make a great deal of sense, especially in the context of the technical and complex nature of the sections of the Bill before the House. This proposal or recommendation is worthy of further investigation on the part of the current Minister.

The Ombudsman for Children also recommended to the Minister of State that the Bill be strengthened to guarantee that the voice of the child is heard. The current language of the Bill states that the wishes of the child will be taken into account “in so far as practicable”. The Ombudsman for Children has pointed out that the approach being taken is somewhat out of sync with Article 12 of the UN Convention on the Rights of the Child and could be in conflict with said convention. Many of the complaints the Ombudsman for Children receives arise from

a failure to take children's wishes into account when major decisions affecting their welfare are being taken. I would like to hear the Minister of State's views on this.

Another issue which has been well aired but not addressed is after care services. This was a point of considerable deliberation in the Seanad where the Minister of State is on record as having stated that only a minority of children require after care. This assertion has been disputed robustly by many groups who work at the coalface who cite their own experience as well as international research supporting the assertion. The need for after care service is dependent on the assessment criteria used. Will the Minister of State be more open to what practitioners tell him about the need for such a service? Letting a vulnerable young person slip through the cracks because of a lack of after care service makes a mockery of all the effort put in while the child was in State care. Advocacy groups state that regardless of their best intentions, foster carers require an after care service for the young people who live with them regardless of how capable such a young person might be. The support may be financial until the young person starts employment or continues to third level education. It may be support in obtaining grants for education or in helping the young person achieve independent living. Many care leavers may not have a strong relationship with their carers and many have limited support from their family of origin. These young people will be dependent on the State. They are dependent on the HSE and social services to enable them make what is a vital transition to independent living. They require support over a number of years to make the gradual transition from dependence to independence. It is essential that these points, which were well made, are taken on board.

The advocacy groups seek amendments to the Bill to provide for appropriate level of after care for all children leaving the care system, depending on their level of need. They describe such a statutory provision as "the best way to ensure the provision of such services consistently across the State". Similarly, the recommendations of the Ombudsman for Children in respect of this Bill place a heavy emphasis on after care, pointing to the potential consequences of an absence of after care for vulnerable children, including basic matters such as homelessness. The ombudsman's submissions remind the Minister that the UN committee on the rights of the child recommended that this State strengthen its efforts to ensure and provide for follow up and after care to young persons leaving care and that attention has been drawn to this issue by the Ombudsman for Children in her most recent submission to the UN committee prior to its examination of Ireland's most recent periodic report.

There is a clear need, therefore, for this matter to be addressed, as there is an urgent need for professional longitudinal studies of children in care to address comprehensively issues, including after care. I am pleased and acknowledge that the Minister of State indicated he is open to commissioning such research. I hope he will. Ultimately, any effective policy is informed by such research which must be ongoing. Policies and practices must be sufficiently flexible to ensure new research-based recommendations can be put into practice efficiently and effectively. I accept that anecdotal evidence on a case by case basis is not sufficient but even if there is no research, that is no excuse for not moving on matters. I ask that the Minister of State undertake the research as he indicated he would so do. In this regard he might elaborate on what he has in mind when he referred to using the "research capacity" of his office for new studies in this area. He made this point on Second Stage in the Seanad but it is not one I saw revisited in the course of the debate. Will he specify exactly what he has in mind in that regard?

I mentioned and acknowledged the very positive and consistent contribution of the child care advocacy groups. In their regard I ask the Minister of State to clarify the level of consultation his Department carried out when this Bill was being drafted with agencies such as those I mentioned. Did his office liaise with the Ombudsman for Children, for example? What level of consultation with stakeholder organisations does the Department generally engage in when

[Deputy Charles Flanagan.]

drafting a technical Bill with complex wording such as the one before the House? The Children's Act 2001 provides for the promotion of inter-agency co-operation, publishing criteria for the admission to and discharge from special care units as well as guidance on the qualifications and training of guardians *ad litem*, the organisation of seminars and conferences, conducting research, and providing views on any proposal of the HSE pursuant to section 23A(2)(b), Part IV A of the 1991 Act in respect of special care applications made by the HSE to the District Court for an order to detain a child to provide special care services for him or her.

I ask whether an audit of the board's effectiveness has been carried out. This, indeed, may well provide an opportunity to establish what the board did well, where there was room for improvement and where it failed, because we must learn from mistakes to deliver and provide a better service in the future. The Minister of State, Deputy Andrews, hinted when introducing this Bill in the Seanad that there was some duplication between his Department and the board. I remind him that he said, "My office promotes inter-agency co-operation and co-ordination in the delivery of services, engages in research and disseminates information on issues relating to children, functions also carried out by the Children's Acts Advisory Board".

Obviously, with resources being scarce, it is necessary to eradicate any form of duplication so as to ensure that resources are placed into the areas of greatest need and that funding is used effectively in those areas. I would hope the transfer of the functions of the Children's Acts Advisory Board is carried out professionally, with best practice identified and replicated for the future.

Finally, my Seanad colleague, Senator Cannon, stressed the importance of early intervention in respect of troubled children and families. I believe we are all of the view that early intervention in terms of support mechanisms is far preferable to taking a child into care when a dangerous threshold of neglect has been reached. The Minister of State has visited family resource centres in his constituency, as most Deputies will have done. We all agree that their work is very impressive, but there is a challenge for these centres in terms of reaching out to the families that might most need them. I would welcome the Minister of State's views on what can be done to promote awareness of facilities such as family resources centres, and what he envisages for them in the future, with particular reference to ongoing funding and budgetary endeavours.

In conclusion, I broadly welcome this legislation. I look forward to pursuing the detail on Committee Stage and I hope we have an opportunity to reach agreement on the matters of contention that have arisen. The Minister of State might indicate his target timeframe for when the Bill will ultimately be enacted, but there is every reason why this should be on the Statute Book by the end of this year.

Deputy Jan O'Sullivan: I, too, welcome the Bill, but I have a number of issues I want to raise today with the Minister of State. I also have a number of amendments to table, when we get to Committee Stage. The main purpose of the legislation is to provide for a statutory scheme, whereby the High Court will have exclusive jurisdiction in special care cases. This is sensible in so far as it involves amending the original Act while providing a more coherent framework in which to deal with these very difficult cases.

My first point is that it would have been better if we had the bulwark of the constitutional referendum behind us in the context of this legislation. In some ways it is to put the cart before the horse, although we will be introducing a referendum at some stage in the near future, which will put the rights of children into the Constitution, assuming that is what the people decide to do. This is the backdrop from where we should be discussing this legislation, and indeed we

can discuss it in that context, knowing what the agreed wording of the all-party committee is. Again, I call on the Minister of State and the Government to inform the public as to when we can expect that the referendum will be put before the people. We need a date as a matter of priority.

The Minister of State came before the Joint Committee on Health and Children recently, where this issue was raised. Deputy Charles Flanagan was in attendance as well. The Minister of State informed the committee that there is ongoing consultation among a number of Departments on how the proposed wording might affect the delivery of responsibilities in their remit, whether education, health or whatever. At that time I expressed some concern, as I do now, as regards my belief that in some cases Departments might be quite conservative when it comes to protecting the *status quo*. In some ways the representatives of the people across all parties might be more progressive in terms of strongly guaranteeing the rights of children in the Constitution. Again, I wanted to express that view here today. The Minister of State, to some extent, is the guardian of the public representatives in this regard, to ensure that we get a wording which is as strong as possible and reflects all-party agreement as regards amending the Constitution.

The Bill also has to fulfil our obligations under the UN Convention on the Rights of the Child and the European Convention on Human Rights. Indeed, there are number of recommendations from the Ryan report, and others as well, indicating that they are focusing on the issues we are discussing in this legislation. Obviously we are talking about the most vulnerable of children as well as some of the most difficult and chaotic young people in the country. I well understand that it is not an easy area. On the one hand we have to balance the rights of these young people, while providing, too, that the State has an obligation to ensure they are appropriately protected, while others must be protected as well in the context of their detention. I say this because I am aware of the type of chaotic behaviour that sometimes is characteristic of such young people. We therefore have to ensure that the places of detention are appropriately staffed and properly run both in the interests of the young people and the staff, because it is a very difficult area in which to work.

Deputy Charles Flanagan referred to the submission of the Ombudsman for Children, as well as others that we have received from bodies such as Barnardos, Focus Ireland etc., which represent the interests of children in care, specifically. I shall just quote from the submission of the Ombudsman for Children, which I presume the Minister of State has taken into account. I would also ask whether he has met Ms Emily Logan in her office, in the context of the legislation. She said in her submission:

Depriving young people of their liberty for their own protection constitutes one of the most serious interventions the State can make in a young person's life. The making of a special care order is appropriate in only the most difficult cases, where a young person's life, health, safety, development or welfare is at risk.

That comes from the advice of the Ombudsman for Children on that particular Bill. In depriving young people of their liberty in this way, it is essential to ensure the care they receive is appropriate to their needs. Again, I share the concern around the HIQA report on Ballydowd, in particular, and its conclusion that it was unsuitable, unsafe and not fit for purpose. I understand it is still open, but that considerable work has been done in relation to the physical building. Perhaps the Minister of State might clarify the situation. I also understand that, literally, there is nowhere else at the moment that is appropriate for these young people. There must be somewhere, but in the event, it must be appropriate to their needs.

[Deputy Jan O’Sullivan.]

The other two places where they can be detained are Gleann Álainn and Coovagh House. I have some knowledge of the latter because it is in my constituency.

I understand a number of cases have been taken or at least initiated by staff with regard to the behaviour of young people in that place of detention. The facility does not house the numbers for which it is designed — it is about half full generally — and does not appear to be good value for money. I know that such places are extremely expensive to run as they require large numbers of staff as well as experts. However, it is important that we provide for the maximum number of young people based on what was intended and that there is no waste of money. I understand there is quite a high turnover of staff in Coovagh, although I am not sure about the other two centres. My concern is that these are difficult places in which to work. We must ensure that the people working there are appropriately trained, but also that they have the appropriate level of experience to work in those challenging conditions.

In the Seanad, there was some discussion about what exactly happens in these places of detention. In particular, it was felt that there should be a strong therapeutic element to the care provided. On Committee Stage there was a long debate on the language used in the Bill, particularly with regard to whether such children should be referred to as being in detention or in placement, and the Minister of State was somewhat positively disposed towards using the word “placement” rather than “detention”, which is used many times in the Bill. I accept that language will not be the determining factor in what happens in these places and in how these children are treated, but it is important. I ask the Minister of State to consider this, because he did have some sympathy for the points that were made by Senators.

I also have concerns about whether the number of social workers is adequate. This is something I have raised many times with the Minister of State, and I know there is a commitment to employ more social workers. The Minister has expressed a strong wish to establish more early intervention facilities for families, and this requires more social workers. If we are to have meaningful early intervention for families, we must have an adequate number of social care workers who can intervene at those early stages. Barnardos is doing good work in this regard in my own constituency, particularly in the regeneration areas. It is tedious and time-consuming work, but the results can be life-changing for young children who are growing up in dysfunctional and difficult families. There is no alternative to early intervention; intervening at a later stage cannot undo damage that is done when children are young.

I have some sympathy with the difficulty experienced by Minister of State in trying to juggle the available resources for all the different elements of support these children need, but we should provide more resources for early intervention. It is not specific to this legislation, but the Bill is required partly because so many children are growing up in very difficult family situations, with older brothers and sisters whose behaviour is not the kind of example one would want to give any young child. I know of many small children in my own constituency who are living in dysfunctional families, and the only hope for those young people is strong early intervention, support for schools and preschools in their areas and, as Deputy Charles Flanagan has just said, support for community bodies such as family resource centres. There are many interventions, funded in a variety of ways — some voluntary, some statutory — but we need to ensure they are supported and they do not fall through the cracks due to the difficult budgetary decisions that will be made in the near future. It is important to have a safety net in the form of a floor below which the level of service is not allowed to fall.

I also have some concern about private providers of care and the need to ensure they are appropriately vetted and up to standard. We are more used to care being provided statutorily

through the HSE and other bodies, and there is some suspicion that private providers might not be as effective. It is important that we are absolutely assured they are appropriately vetted.

Deputy Flanagan spoke about the possibility of establishing a separate senior ministry, which is something we brought up before. There is a case for it, at least on a temporary basis. I am thinking back to the time when Mervyn Taylor had the brief of equality and was able to make progress on that agenda over a specific period of time. That ministry no longer exists as a separate ministry, but it allowed for a focus on those issues and there were some fine achievements. The welfare of children is another area that requires a focus over a specific period of time, so that we can learn from the horrific acts that were perpetrated on children, many of whom were in the care of the State — perhaps in religious institutions, but placed there by the State — and many others who were not protected while in the care of their own families. We must focus on ensuring that changes we make to the Constitution, the legislation and other systems are strongly supported. A separate Minister for children would be a positive step in that regard.

A couple of other issues were raised in the Seanad and by some of the bodies that have contacted us, as well as in the House today. I refer in particular to the right of the child to be heard and represented, which was mentioned by the Ombudsman for Children and by Barnardos. The Ombudsman for Children refers to the fact that section 24 of the Bill qualifies the requirement to consider the wishes of the child by stating that such consideration shall be given “in so far as is practicable”. The Oireachtas Joint Committee on the Constitutional Amendment on Children, in its proposed wording for the constitutional amendment, recommended the following:

The State guarantees in its laws to recognise and vindicate the rights of all children as individuals including: [. . .]

(iii) the right of the child’s voice to be heard in any judicial and administrative proceedings affecting the child, having regard to the child’s age and maturity.

This is stronger in its wording than what is in the Bill. In addition, Article 12 of the UN Convention on the Rights of the Child provides that “States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child”. I will be proposing amendments in this regard. It is important that we strengthen the right of the child to be heard.

The UN Committee on the Rights of the Child expressed a concern that the right to be heard was not adequately protected in Irish law and called on the State to ensure that children are provided with the opportunity to be heard in any judicial and administrative proceedings affecting them and that due weight is given to those views in accordance with the age and maturity of the child, including the use of a guardian *ad litem* as provided for under the Child Care Act 1991. The Ombudsman for Children suggests that we would be more in harmony with the UN Human Rights Committee if we worded that the legislation in that way.

Barnardos has provided us with statistics that reveal a guardian *ad litem* is appointed in only 25% to 30% of care cases. The charity is in favour of a stronger commitment to the provision of guardians *ad litem*. I understand it is an assumption in Northern Ireland, England and Wales that such a provision will be made unless there is reason to do otherwise. I am aware that provision has been made for the courts to appoint a guardian but I ask the Minister of State to consider a form of wording that more strongly favours the assumption of such an appointment and ensures that the voice of the child is heard.

[Deputy Jan O'Sullivan.]

The provision on aftercare is very important and needs statutory support within the legislation. I am aware that guidelines are in place and understand the HSE is developing national standards on aftercare but while this is welcome, there is no commitment on putting in place a dedicated budget. Aftercare should be included in the legislation as a statutory right. Some 5,419 children are in care at present, or double the number of 20 years ago. Research by Focus Ireland suggests that two thirds of young people leaving State care experience homelessness in the subsequent two years. Focus Ireland has been campaigning strongly for the statutory right to aftercare. It has found that many young people pass through various homeless services after they leave the care setting and need the outreach support that aftercare can provide.

Homeless agencies in the Dublin area are undergoing an extensive reorganisation of services, including aftercare. Focus Ireland is involved in this reorganisation. A number of cases have been highlighted in this House involving individuals who have died or became dependent on drugs. Many other young people live despairing existences with little support from anybody. Aftercare is important to these individuals, who in many cases have moved from placement to placement and who lack confidence or a positive self-image as a result of being taken from their parents and put into care. When they leave care, they need certain supports that may not be required by an 18 year old who had the benefit of growing up in a happy family.

I will be tabling amendments to the Bill on behalf of the Labour Party, some of which arise from the debate in the Seanad. The Minister of State accepted one or two Seanad amendments and expressed his agreement with other proposals. I am concerned to ensure children's voices are appropriately heard in court proceedings. I am probably the only speaker thus far in this debate who does not have legal training and I realise the legislation is quite complex. However, it is a duty of the courts to ensure young people's voices are heard when their futures are being decided. The other issue concerns what happens to these young people in the care environment. We must be able to provide for their needs in a way that gives them a chance to live a normal and fulfilled life. In many cases, that involves proper aftercare. I will not be opposing the Bill on Second Stage but I will be proposing amendments.

Deputy Timmy Dooley: I will be sharing my time with Deputy Blaney, by agreement.

Acting Chairman (Deputy Johnny Brady): Is that agreed? Agreed.

Deputy Timmy Dooley: I welcome the opportunity to contribute to this debate. Like Deputy O'Sullivan, I do not have legal training but, while complex legal issues arise in respect of the Bill, it should not be seen as necessarily technical in nature. The facts that underpin the requirement for this legislation are common and recognised by all of us in public life who come across tragic circumstances on an almost daily basis. Social dysfunction in many areas generates problems that are manifested in the destroyed lives of young people. It is incumbent on us to protect children. The appointment by the Government of a Minister of State with special responsibility for children is a long overdue recognition of the importance of this area and I am sure future Governments will continue to work to meet the needs of children. For far too long, children's interests were brushed under the carpet and it is only now we see the disrupted lives that result from cruel treatment at the hands of those who failed to meet their responsibilities. It is important that we continue to develop legislation in this area.

The Bill before us further enhances the protection of children, particularly as they relate to the responsibilities of the HSE and the State. The Minister of State has outlined the main provisions of the Bill in regard to inherent powers, emergency interim care orders, guardianship issues, civil proceedings, conflict between civil and criminal proceedings, special care orders, quality in special care units and the Children Acts Advisory Board. I agree with Deputy

O'Sullivan that we should concentrate our resources on aftercare because it is vital that children who have passed through the machinery of the State have available to them a proper programme of reintegration which would allow them to live independent lives. All children should be given the capacity to provide ultimately for themselves and live normal lives, notwithstanding the traumas they may have experienced. The importance of aftercare services for young people leaving the care of the State is widely recognised.

Aftercare is highlighted as a key element of achieving positive outcomes for young people leaving care. I am aware that children in residential care or detention often come from a background of social disadvantage and emotional trauma that most of us could never comprehend. We must ensure that such children do not experience further disruption and instability as a result of coming into the care of the State. Even though we might recognise the benefits brought about by State care, it can be difficult for children to accept that or comprehend what is involved, considering the trauma and disruption in their lives, often at the hands of abusive parents.

As policy makers and service providers, our joint aim has to be to make sure that when young people leave care and detention systems, they are in better circumstances than when they first arrived into care. We must ensure that children and young people are provided with the support they need on leaving that care. Where children benefit, they may become somewhat dependent on that care, so there should be a process of acclimatisation for the children when they leave care. We must ensure they are provided with the support they need, and the implementation of an effective aftercare policy strengthens the position of young people leaving care. It supports their transition to independence and reduces the possibility of homelessness and social exclusion.

I am aware that the Minister of State met with Focus Ireland this year. I understand that he had a constructive exchange of views on aftercare, particularly about the organisation's concerns with the current regulatory position and service delivery. I do not think we can underestimate the role of NGOs in this area and the important work they do in providing benefit to these children. We have to recognise the expertise of NGOs and figure out how to harness that in a way that benefits the children.

Preparatory work for the Child Care (Amendment) Bill 2009 has been beneficial in identifying options that may be available to address the issues of aftercare. The Minister of State has given consideration to the options proposed to address the provisions of aftercare services, particularly the legal position on the provision of aftercare services in respect of the existing legislation. I commend the Minister of State for the open and transparent way he has gone about his business. He has taken an inclusive and consultative approach to his deliberations, and the Bill before us, which is not being opposed by the Labour Party, indicates the consultative nature of his approach. Nobody has a majority of wisdom when it comes to dealing with sensitive social issues. It is clearly important that we continue in that vein and try to find a consensus on the best way to deal with important matters.

Aftercare service has been subject to uneven delivery across the country in the past. That was highlighted in the Ryan report and efforts have been made to ensure that the delivery of aftercare is standardised and in line with the recommendations of that report, provided by the health care teams from the HSE. The report of the Commission to Inquire into Child Abuse states that the "provision of aftercare by the HSE should form an integral part of care delivery for children who have been in the care of the State, and it should not be seen as a discretionary service, or as a once off event that occurs on a young person's 18th birthday". It is vitally important that whatever mechanism is in place, it has to continue in some kind of supportive role and ensure that while a child might require a special care order and a period of detention,

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that would only be one aspect to the care. We must then find a path to reintegrate the child into society, run in parallel with other State provisions that are there in a way that acts as a kind of crutch to assist the child in becoming a more rounded citizen with the capacity to live independently. It is easy enough to talk about this challenge here, but in practice each child's needs are unique to the individual concerned. Care has to be unique to those needs, and this poses the greatest challenge.

I often despair when I read commentary in the media that seeks to pour scorn on the Minister, the Government or the HSE when referring to children in care. The commentary seems to suggest that children in care are the same group of people with the same issues and that it should, therefore, be possible to develop a method of care that can be repeated for each child. That is not the case. Every child's problems are different and so it is not enough to apply a body of evidence to each individual case. At best we have a framework that tries to identify the problems and in so far as possible, find a resolution. However, it is not possible to get through to the child in some cases and to prevent the child developing a criminal background, but we must provide the best possible support to the child concerned.

The report refers to the necessity for the HSE to ensure the provision of aftercare services for children leaving care in all instances where the professional judgment of the allocated social worker determines it is required. It states that the HSE should, with their consent, conduct a longitudinal study to follow young people who leave care for ten years, in order to map their transition into adulthood. The HSE and the Department of the Environment, Heritage and Local Government will review the approach to prioritising identified "at risk" young people leaving care and requiring local authority housing. It is important to ensure that these children are facilitated within communities. There is a role for the Department of the Environment, Heritage and Local Government and local authorities to ensure that appropriate housing is available in a way that benefits the community, so that the children have the support of an appropriate community setting.

Some of the social housing operators in the UK try to build an appropriate model that takes people from different backgrounds and tries to include care for children who have come from difficult backgrounds and settling them in areas where there are older people who will assist them in developing life skills. That kind of inclusive model needs to be examined here.

Youth homelessness has evolved from children who come from difficult backgrounds. The Government has shown significant commitment to tackling this and the youth homelessness strategy that was launched in 2001 gives effect to this. The strategy provides a framework for youth homelessness to be tackled on a national basis. The HSE has led responsibility for the implementation of that strategy and it prepared a detailed action plan to address youth homelessness, in line with objectives set out in the strategy.

I thank the Minister of State and his Department for their ongoing efforts on behalf of the children of this country. I look forward to the development of legislation that seeks to ensure that we never see the depravity of the past in the care of the State and delivers the appropriate protections for our children in the future.

Deputy Niall Blaney: Thank you, a Chathaoirligh, for allowing me to speak on this Bill tonight.

This Bill relates primarily to the circumstances surrounding application for special care orders and issuing of same. Unfortunately, special care orders are a requirement of modern society. While I say unfortunately, I also acknowledge the services dedicated to caring for those children affected by special care orders. We must be very grateful to have such services.

There have always been families in trouble, families that require assistance with children and families that are simply unable to cope unassisted or unable to cope at all. In these circumstances, the HSE becomes of vital assistance to society. Traditionally, social services were viewed as a last resort for families in trouble — the kind of people one would not want involved with one's children or family. Thankfully, those views have been changing, although perhaps some would say not quickly enough.

The intervention of the HSE or social services should be viewed as a helping hand for those finding it difficult to cope. This is slowly becoming the case. We, as a society, however, still have some way to go to accept this fact and to making the child our primary concern. Thankfully, the days of pushing things under the carpet are disappearing. In our modern society, we are well aware of the difficulties facing children and we must provide ultimately for their protection as required.

Child safety and protection must always come first, regardless of the adults who may be involved. For me, the one profession which stands out is teaching. We see it as being there to provide an education to young people. The teaching profession plays a major role in shaping children for the society of the future and trying to make them role models for their communities. Perhaps at times we do not give it enough appreciation for the work it does and the load it carries in providing a service over and above the education requirements.

I wish to highlight the work of many of those involved with the HSE in caring for children in trouble, whether a responsible teacher, a nurse, a caring individual who alerts the HSE to children in need of attention, social workers who make the initial contact with the family in trouble, psychologists, therapists, medical professionals who provide tremendous assistance and treatment, foster carers who provide a vital service, or residential care workers who do tremendous work in caring for children in need of guidance and supervision. I commend the work of many gardaí who deal with vulnerable children each day, mostly under the radar and often in very difficult circumstances. In many cases they provide untold assistance to the HSE and social services. There have been too many cases in our history of children being mistreated and the measures introduced in the Bill are vital. I encourage the continuation of the process.

This Bill deals with children between the ages of 11 and 17 whose needs cannot be met through community or residential care assistance. Special care orders are a last resort in the interests of the safety and protection of the child. That is the important message. This Bill deals comprehensively with the process in regard to special care orders as a whole, from consideration of the child for special care through to the application for a special care order to the discharge of the order.

I commend the Minister of State on his endeavours with this Bill to ensure that all the child's needs are met, including health, safety and education needs. I am very much aware of how well the Minister of State equipped himself before introducing this Bill. He has met many care groups and youth groups in my constituency and has taken on board many views. I do not believe my constituency is different from any other.

A child being placed in special care deserves an opportunity to experience things in life that previously were not afforded to him or her. These vulnerable children deserve a second chance and it is our duty to ensure they get a second chance. It is vital that serious measures are adopted to ensure children proceed to a safe and protected environment subsequent to the discharge of a special care order. It is essential that no child leaves special care with the same problems as entering it, or with even worse problems. With compounded problems, many supports and measures are required post special care.

I am pleased this Bill deals with children who may require detention in a special care unit for their own safety but who may also be subject to criminal charges. It is vital these children

[Deputy Niall Blaney.]

are not solely left to the rigours of the law and are taken under the wing of the HSE, even in the event of a criminal charge or prosecution. It is imperative that such vulnerable children do not fall between two State agencies but rather face the rigours of the law while also being protected in many other ways by the HSE.

Many families require support from the HSE and social services. Some are wise enough to seek it but others have it visited upon them. Perhaps a role for us as legislators is to end the stigma. While it has been somewhat diluted compared to a decade or two decades ago, the stigma still exists in some quarters. We must send the message that social services do not exist to attack a family or children but simply are a support measure for the health and welfare of the children involved.

Some children slip through the net and those who do require the most focus at this stage. Many children do not get a fair start in life and require attention. This Bill deals effectively with those suffering from severe hardship and I commend the Minister of State on his continued sterling work in child protection. There are many facets of child protection and much work has been done in recent years to ensure the system identifies these children as soon possible.

There will always be a case for more supports and more intervention in some circumstances. It is worthwhile acknowledging how far we have come while looking at what can be done in future. We, as a society, must share responsibility for child protection, whether families, neighbours, friends, teachers, gardaí and others I mentioned. We, as legislators, must continue to provide the framework for society to carry that responsibility effectively, and this Bill does just that.

Deputy Denis Naughten: I welcome the opportunity to speak on the Bill and I thank the Minister of State for his contribution which outlined the principles behind it. The points I wish to raise will not be new to him and I commend him on taking an interest in them. He is the first Minister of State I have encountered who has taken a genuine interest in the issue of separated children. These children are in HSE care and in residential facilities.

When we talk about legislation which will put new provisions in place for the care of very vulnerable children and children coming from very difficult circumstances, it is important we review what is going on currently in regard to vulnerable children in the care of and who are the responsibility of the HSE. The agency has failed to acknowledge its failures in the care of separated children. I question how we can introduce more legislation giving further responsibility to the HSE when it has failed hundreds if not thousands of children in the system.

Going over some notes before coming into the House, I came across an article from June of this year which highlights the problem we face. The headline read: “Missing Minors traced to Chinese Restaurateur.” The article stated: “Gardaí are to recommend a wealthy Chinese restaurateur be charged with the trafficking of several Chinese children who disappeared from state care at accommodation hostels for unaccompanied boys and girls in the past few years.”

Gardaí had raided three restaurants in July 2009, including a very popular high end restaurant, after receiving intelligence that some 34 missing children had been in contact with this particular businessman. I commend the Garda Síochána on the work it has been doing in that case and many others which are extremely complex.

The gardaí in this particular case had identified that the individual had not paid tax since he had opened his restaurant in 2002. That, in itself, raises other issues that must be addressed regarding the resources and the focus that has been put by the Revenue Commissioners on some of these operations. As we are aware, it can be very difficult to secure convictions for trafficking but there are other ways people can be prosecuted under other legislation. I raise

that case because there are huge difficulties in securing convictions in regard to the victims of trafficking, especially children who are being trafficked.

I raise a case going back to 2008 that I have raised here on numerous occasions regarding a young Nigerian lady, Joy Imifidon, who was picked up in a brothel in Kilkenny city. She came before the courts in July of that year. In court the detective garda who was investigating the case stated: "We are worried that she may be a minor and a victim of human trafficking." The judge in the case said that there was a possibility that the woman was in fact a minor and was vulnerable. She was brought to the Dochas Centre in Mountjoy Prison. She came back before the courts, was placed in the care of the Health Service Executive and subsequently disappeared from that HSE accommodation. In terms of her disappearance, no charge has been made or conviction secured in respect of the brothel in question regarding the trafficking of children for the purposes of sexual exploitation.

My point is that not only are we ignoring these children and leaving them in very vulnerable positions but we are also allowing the abusers to get away scot free because we are putting the children back into the same dangerous position from which they came. It allows the traffickers to pick up the children again and re-traffic them. As a result of that it is extremely difficult to secure convictions and without securing convictions this country will never be able to send out a message that this jurisdiction has a strong and severe attitude in terms of prosecutions for people involved in the exploitation of children.

Child trafficking is a reprehensible business but, sadly, it is on the increase. As the Minister is aware, the statistics that have been provided to me by the HSE clearly show that the trend has been growing in recent years and that it has not been reducing. Report after report has been produced regarding the use of Ireland as a springboard into industries that are involved in the exploitation of children either for labour or sexual exploitation.

A report was produced which stated that the easiest trafficking route into the United Kingdom for children is through Ireland. One particular report pointed out that since 2004, some 330 children have been known to have been trafficked into the UK through various routes via Ireland. That is believed to be only the tip of the iceberg yet this issue has been ignored continually by the HSE. The HSE has stated that many of these children have been rescued from desperate circumstances, yet it took until earlier this year for the HSE to even publicly acknowledge that there is a problem with the way it is caring for those particular children.

The legislation before the House is providing for a special care order and gives control of the care of the child to the Health Service Executive. In effect, the HSE is taking on the role and responsibility of a parent. I must question whether the HSE is the organisation to do that when a report from the Ombudsman for Children has been critical of the way separated migrant children have been treated in care and the fact that more than 500 separated children have gone missing from HSE provided accommodation since 2000, over 440 of whom still remain missing, and no one is asking what happened to those children and what is being done to address that problem.

Since taking office the Minister of State has begun to implement policy to ensure that the hostel accommodation currently in place for these children will cease by the end of this year. The Minister, in his response, might update the House on the progress he has made in that regard. I hope that significant progress has been made.

The Minister of State is also aware that there is a commitment in the national children's strategy to appoint a guardian for separated children because the reality is that no one is asking questions when these children disappear. If a guardian is appointed who is prepared to ask the

[Deputy Denis Naughten.]

tough questions of the HSE, the practice of these children disappearing into thin air might cease once and for all.

The policy has been put in place, and I acknowledge the work the Garda and the HSE have done in establishing a protocol for children who go missing but that protocol was to be reviewed last October. The last time I checked with the HSE the review had not even commenced. That does not show the level of priority that should exist in regard to 500 children going missing from HSE accommodation.

That is the reality of what is happening currently regarding HSE run and supervised accommodation. Children are disappearing from that accommodation. A commitment should be given to put protocols in place to ensure that when those children go missing, the gardaí are informed. It is surprising that the gardaí are not informed in some cases but that is the reality of what has happened and, as the Minister is well aware, of the 500 children who have disappeared, some of them are not even on the missing children website run by the Garda. The Garda Ombudsman has highlighted that specific issue and has said that an explanation should be provided as to the reason those children are not on the missing children website. We still have not had an explanation in that regard. Twelve months after that review was supposed to have happened, I am not sure it has taken place or whether the changes have been implemented.

I am still for waiting for answers to questions I submitted last July on the issue of separated children. This is not acceptable. We are being asked in this Bill to give more powers to the HSE, similar powers to those it has with regard to separated children, despite the fact it has failed that cohort of children. One must ask whether the HSE should be given the authority to take responsibility for children who are extremely troubled, come from difficult backgrounds and will require a significant amount of care and attention when children from vulnerable situations outside of this country who arrive and present themselves on our shores evaporate into thin air or end up in brothels where they are abused. Gardaí pick them up in these situations and they go before the courts and the judge, who believe they are vulnerable children who have disappeared from HSE provided accommodation. Serious questions must be asked in that regard.

As the Minister of State is aware, last December 12 months he gave me a commitment in this House that he would deal with the issue. I accept his bona fides on the issue, but in the six months following that commitment more children had gone missing than had gone missing in the previous 12 months, but towards the end of the year matters improved. Hopefully, when I eventually get the statistics for the current year — whenever the HSE decides to give them to me — we will find that the situation has improved this year.

The Minister of State mentioned in his contribution the appointment of a guardian *ad litem* and how important that is with regard to care and provision for children, to ensure their best interests are protected. He also mentioned that he is committed to the appointment of a guardian or adviser for migrant children, but this person may not have the same legal standing as mentioned in this Bill. That does not make a significant difference. What we need to ensure is that an advocate is appointed who will ask the questions, such as should a vulnerable migrant child disappear from HSE accommodation. We need to have someone who will ask the questions and find out what is being done to find such children and ensure their best interests are protected. The skin pigment of the child should not matter. If the child is vulnerable, he or she must be protected, must have adequate legal representation and have suitable care accommodation, education, language support and health care provision. This is crucial.

The HSE's record with regard to these vulnerable children has been appalling, yet we are now being asked to give additional powers to the HSE in the matter of another vulnerable

cohort of children in this country. Two wrongs do not make a right. There is an onus and responsibility on the HSE to get its act together with regard to children for whom it already has overall responsibility on a day to day basis. The HSE is *de facto* the parent of those children and should surely get its act together in that regard before it takes on additional powers. I question whether the HSE should take over this role and look forward to the Minister of State's response.

I would also like a response from the Minister of State on the issue of children who were, in the past, placed in psychiatric hospitals. Some of those children with an intellectual disability still remain in psychiatric hospitals. I hope expedient progress is being made that will deal once and for all with this situation and that we create an effective inspectorate to deal with residential facilities for all persons with a disability. A number of children with profound intellectual disabilities are in residential care and it is important their rights are protected and that they are not left vulnerable to exploitation just because they cannot put the questions or advocate for themselves. Previous speakers mentioned the lack of an adequate out-of-hours service and we have had numerous examples of situations where the system has failed to provide social service supports that back up the Garda Síochána. The Garda is not a child minding service for vulnerable children.

With regard to the issues raised concerning the children to be provided for by this Bill, it is pointless to enact this legislation unless there is a clear commitment that the required resources will be put in place. In the current economic climate, it is difficult to see how the Government will implement the provisions unless it provides a specific ring-fenced budget to ensure the legislation is implemented. It is important the resources are made available for this cohort of children from challenging backgrounds. As we all know, if we do not deal with the issues raised, the cost to society will be astronomical. It makes more sense in the short term to deal with the challenging behaviour of these individuals rather than leave it to be dealt with by the prison system down the road.

An issue that came to a head this past summer is the issue of the children who were used in vaccine trials in the 1960s and 1970s while in residential care. As we are aware, this issue was referred to the Laffoy commission, but because of court determinations the commission did not investigate it. However, the Department and the commission has a significant amount of documentation relating to the vaccine trials that took place and the background to those trials. I have raised this issue at length previously, but I urge the Minister of State to contact the officials involved in the Department and ensure that all of the available documentation regarding the trials is put into the public domain. If, for some reason, some of the information cannot be put into the public domain, the Minister of State should, perhaps, allow a senior counsel to review all of the files and produce a report. This would help provide some answers regarding the exploitation of those children. The issue arose in the public domain during the summer. All these people want are answers and explanations. That is the least they deserve.

Deputy James Bannon: The issue of child care and the lack of such care is evident all around us. Unfortunately, most of the exposure on the issue in the media is of the bleaker, more violent and abusive aspects of childhood for many children. While we all aspire to an ideal of child care and protection, reality is far from the ideal outcome described in the textbooks. This Bill proposes to amend the Child Care Act 1991 and the Children Act 2001.

Given the problems with child care in this State, such an amendment would not be before time. Now that it is before us, it fails to meet the more pressing needs relating to child care and this is most frustrating for those engaged in this sector.

Debate adjourned.

Private Members' Business

Health Services: Motion

Deputy James Reilly: I move:

“That Dáil Éireann, noting with concern:

- that there are more than 46,000 adults and children on hospital waiting lists across the country, which is 5,400 patients more than last year;
- that over 272,000 bed days were lost in 2009 due to the delayed discharge of patients;
- that 50,000 operations have been cancelled since 2007, leaving many patients waiting in pain;
- the anguish that continues in hospital accident and emergency departments, with an average of 300 patients on trolleys each day; and
- that no further loss of capacity can be sustained;

calls on the Government to:

- ensure that there are no further reductions to front line staff or services;
- suspend the loss of front line health services and capacity at hospitals, for example, at Clonmel, Merlin Park, Nenagh, Roscommon, Navan, Sligo, Letterkenny, Portiuncula, Wexford, Monaghan, Ennis and Louth county; and
- immediately open the €16 million community hospital facility in Dingle, County Kerry.”

I wish to share time with Deputies Catherine Byrne, Ulick Burke, John Perry, Paul Kehoe, Tom Sheahan, Pádraic McCormack, John O'Mahony and Damien English.

The motion is self-explanatory as it seeks to ensure there are no further reductions to front line staff or services and to consider other methods to meet the budgetary constraints faced by the HSE. I refer to the Government's amendment. Mention is made of increased life expectancy but an eminent epidemiologist has stated that less than 10% of longevity over the past 20 years can be attributed to health care, if vaccinations are excluded. The amendment notes the decrease in hospital infection rates, yet they remain unacceptably high, while it welcomes the EU's endorsement for being ranked second in quality palliative care, although many parts of the country are without a hospice. The Minister should tell that to the terminally ill who cannot obtain a medical card.

The amendment also notes progress in cancer screening, particularly cervical cancer screening, but there has been a significant drop off in women attending for screening since the methodology was changed to a letter of invitation, thus putting a barrier between them and the service. Where is the bowel cancer programme? Why has it taken so long to get cancer screening up and running? The Government parties welcome the fact that data indicate that a significant majority of patients attending accident and emergency departments are treated and discharged or admitted within the maximum waiting target of six hours. That is a clever statement. What percentage of those needing admission are admitted within six hours? It is laughable for the Minister to suggest that a substantial number of operations are cancelled by the patients

themselves. I challenge her to produce the figures in this regard. I warrant it is less than 5% and probably less than 1%.

This motion is about protecting patients from cutbacks necessitated by mismanagement and waste in the HSE, presided over by this Minister. It intends to demonstrate clearly that there is a third way by changing the bizarre working practices and bloated bureaucracy at the root of the waste in our service. The Government, through a series of policy failures, continues to undermine the provision of fair and equitable health services to our citizens. Current health policy, particularly as outlined in the amendment to the motion, sends a clear statement that the Government does not view health as a priority. It has consistently ignored the concerns of local people, medical professionals and service users when stripping hospitals of their services. Nobody in the House opposes excellence in clinical care or denies the need for change in the provision of hospital services but when the Government's immediate reaction is to close theatres and wards or to withdraw front line services to save money, we do have a problem, as this is a lazy way to attack our difficult situation.

Let us examine the reality. More than 46,000 adults and children are on hospital waiting lists across the country, which is 5,400 patients more than last year. More than 272,000 bed days were lost in 2009 at very significant cost to the system, due to the delayed discharge of patients. A total of 50,000 operations have been cancelled since 2007, leaving many patients waiting in pain and distress while an average of 300 patients are on trolleys each day with 420 patients on trolleys today alone. A total of 332 service users of St. Michael's House are on a priority list waiting for care.

The Government parties have spent vast sums over the past ten years but billions of euro have been wasted on a health service that has not reformed. As a result, our health system is ranked 13th in Europe for quality and 25th for value for money. We are facing a massive economic crisis with €34 billion going into a dead bank that will never lend again, yet the Minister is planning to cut health spending next year by another €600 million without introducing any meaningful reform. Last week, we learned that the HSE has to significantly cut back health services right across the HSE west area to meet its budget deficit. These cuts mean that patients will wait longer on trolleys in accident and emergency departments for treatment and care. HSE west has informed us €5 million was lost last year through absenteeism and payments from insurers on behalf of patients in this area totalling €10 million are outstanding for more than 12 months.

People are feeling pain but HSE administrators have taken the soft option of cutting front line staff and services. Navan hospital is a case in point. The Minister alluded to it being shut because of economic considerations, given all hospitals must stay within budget, but Navan hospital is operating within budget. This is more nonsense from the Minister. The HSE had six grade 8 senior managers earning between €80,000 and €90,000 a year in 2000 but there are now 700, a 10,000% increase. Professor Drumm, the former chief executive officer of the HSE stated that he had "no doubt" that he could reduce backroom staff by "at least 30%". In 2005, some €1 million was spent on consultants to advise on how to deconstruct the executive while more than €100 million has been spent on reports over the past ten years, most of which lie unpublished, unimplemented and gathering dust.

The HSE has spent more than €121 million on taxis since 2006. Legislation on the introduction of drugs reference pricing has been deferred until late next year but it could save a few hundred million euro. Meanwhile, the Minister introduced a prescription charge, which is a measure that will cost more in terms of human misery and hospitalisations as a result of people not taking their medication. The moratorium on recruitment is forcing hospitals to hire expensive premium rate agency staff who are believed to cost 36% more than health service staff.

[Deputy James Reilly.]

Other inefficiencies include banking and payroll practices which are costing the HSE €20 million a year in potential savings. The executive has paid more than €11 million to people on sick leave for more than 12 months, with more than €100 million spent on agency staff every year. More than €2.3 million of taxpayers' money ended up in a bank account with no knowledge of where it was spent while RTE reported a catalogue of waste within the HSE this evening. Equipment such as crutches and Zimmer frames are not reused even though there is no reason that they cannot be sterilised and reused as is the case in other countries. We cannot reuse them and they are thrown out. The Minister alluded to the significant increase in the bills for hospital cleaning with a 54% increase on the 2005 figure.

All this waste and expenditure must stop but instead the HSE under her guidance chooses to close 32 beds in the Mater Hospital. Some 62 beds are closed in Beaumont and 24 beds are closed in Blanchardstown while Professor Drumm said earlier this year that there were plans to close another 1,100 beds. Home help hours have been frozen. Deputy Catherine Byrne instanced the case of a 97 year old woman who went into hospital for a week and returned home to find her home help had been discontinued. She want back to a cold, empty house. This is a false economy and the Government has its priorities upside down.

I want the Minister to tackle waste, take hard decisions, change work practices and stop talking about it. She has had six years to do so. Fine Gael intends to do this under its FairCare proposals. The National Treatment Purchase Fund, NTPF, spent almost €100 million last year to treat 28,000 patients and €300 million over past three years. The Northern Ireland authorities adopted a waiting list initiative that reduced a waiting list of 57,000 patients at a cost of £36 million over 18 months. That is what we need to do. We also need to examine systems in other countries where the money follows the patient model was used to make a saving of between 10% and 19%. This would allow at least €500 million more to be invested in our health services. The countries to which I refer are Canada, Holland and Taiwan. I congratulate Taiwan on its national day today. I hope to travel to speak there shortly. Taiwan introduced universal health insurance in 1995. It works extremely well and spending on health is only 6.4% of GDP. We need to deliver universal health insurance so that all our people are treated equally and so that we lose this focus on private, co-located hospitals.

The National Treatment Purchase Fund is the prime example of the Band-Aid to cover the cracks rather than any meaningful reform. We need a Minister who will put the patient first, take on all comers who stand in the way of that goal and do more than pay lip-service to it by implementing policies to ensure the patient is put first, as in the policy of the money follows the patient. Simply put, if there is no patient there will be no payment.

I commend the motion to the House.

Deputy Catherine Byrne: I thank Deputy Reilly for tabling this motion. I thank the Minister for her attendance as it is important that she hears the contributions from this side of the House.

It is difficult to know where to begin when talking about the cuts in the health service. Deputy Reilly has already alluded to some of them and I will give some examples. A 97 year old woman's home help service was cancelled because she had overstayed her time in hospital while having a surgical procedure. The community nursing home, Brú Chaoimhghín in Cork Street, is to close. The 50-bed unit in Inchicore was to provide new beds for new patients but we have been informed that the patients from Brú Chaoimhghín will be moved to that unit. These will not be an extra 50 beds as they will be used for those existing patients from Brú Chaoimhghín. The ward closures in Cherry Orchard mean that patients have been pushed in together in the St. Laurence unit. The moratorium on staff recruitment means there are no staff to open up the ward. This has been a cruel three months for many of the patients there

and for their families. Many of these patients suffer from dementia and other illnesses and they have to deal with the upset of being moved from one area to another. This is a significant concern.

To illustrate the long hospital waiting lists, I will relate a personal story. I was given a doctor's appointment for May next year. This would be very far into the future for some people. With regard to the extra charges for chiropody, it is true that many of us do not appreciate our feet. We all stand on them and do lots of things on them but some people cannot use their feet as well as us. These include many elderly people who find they must pay an extra €10 for chiropody services, or even more in some cases. I am concerned about these people. They do not have anyone at home to help them care for their feet or to help them with clipping toenails or to give them a pedicure so they depend on the chiropody service. The 50 cent prescription charge is outrageous. People in this country have paid for years for their medication. Elderly people in particular are being further challenged to add an extra 50 cent to each prescription. The Minister and I know the problem does not lie solely with the people who need the prescriptions; the problem lies with the way in which the service is delivered through the doctors' offices and pharmacies and there needs to be action in these areas.

My mother-in-law has attended a doctor for a very long time — I will not say his name. One evening I had a headache while in her house. I asked if she had a Panadol. When I opened her press I found 600 Panadol. I was shocked and horrified that any doctor would continue to write her prescriptions.

The cuts in the dental treatment service have had an impact on young schoolchildren and older people who do not have the means to pay for dental treatment on a regular basis. They attend rarely and only when they need care and attention.

I refer to an important issue which may not affect people living in Dublin but which certainly affects those living in country areas, which is the issue of transport. My father-in-law met a man in hospital who told him he had come all the way from Sligo for a chemotherapy appointment. He said he had been taken by taxi that morning and the taxi man was waiting outside to bring him back home that afternoon. The procedure took three hours and he then returned to Sligo. It is a waste of money to hire a taxi to bring a man to Dublin for hospital service.

My daughter had a baby a few weeks' ago. The baby was very distressed during the week and we decided to ring the Coombe hospital to avail of the mother and child clinic. We were informed the service opened at 9 a.m. and ended at 5 p.m. and we were advised to go to Crumlin children's hospital. Thank God, I only live five minutes from Crumlin hospital. I hope in years to come when we have to travel across the city to a new hospital that has no parking spaces we will have a service for young women that does not end at 5 p.m.

Deputy Reilly has already alluded to the issue of wheelchairs and other equipment. The HSE provides wheelchairs. A neighbour of mine needed a wheelchair following an operation on her two feet. She was informed at Beaumont Hospital that the hospital did not supply wheelchairs and she was referred to the HSE service. We went to every HSE service and could not get her a wheelchair. Every day of the week, dozens of crutches, wheelchairs and Zimmer frames are left in houses because the HSE will not take them back. This is a real waste of money and it is an issue that should be identified and dealt with. If they cannot be used in this country we should at least, for God's sake, send them to other countries where they can be used.

Deputy Ulick Burke: I commend Deputy Reilly for bringing this timely motion before the House and I thank him for sharing his time with me.

The Health Service Executive has recently been described as inefficient and not fit for purpose by the Irish Hospital Consultants' Association. It has accused the HSE of being dysfunc-

[Deputy Ulick Burke.]

tional and disconnected from staff who provide the care. It said the State organisation was not just cutting the cost of providing care but cruelly cutting the amount of care. It said that when the HSE was set up, not a single job was lost and no efficiencies have been introduced to date. This is an indictment of a very important agency charged with the delivery of health in this country. It cannot be allowed to carry on in this fashion. It is incumbent on the Minister to take responsibility at this stage to redress the many faults in the organisation.

At a recent health forum, Dr. John Barton, cardiologist at Portiuncula Hospital, Ballinasloe, said that research in 21 OECD countries found that Ireland had the third most inequitable system in terms of access to hospital care. Two factors contributing most to this imbalance are private health insurance and medical cards. A total of 50% of the Irish population now pay health insurance. Many of these pay out of fear of the public system.

Within the past few days, a young mother in County Galway, who had a planned admission for ongoing chemotherapy at University College Hospital Galway, was refused admission and her treatment postponed. She was to have a re-appointment in nine weeks but received a letter stating the appointment would be in nine months' time. This is the Minister's centre of excellence. She has withdrawn cancer services from other centres throughout the HSE west region and given assurances on numerous occasions that all cancer needs for the HSE west region could be provided at University College Hospital Galway. This is another scandal to add to those already on the record of this House. Are we going to have another Susie Long case in the making?

This incompetence is unbelievable at a time when the HSE west employs the highest proportion of corporate staff compared to any other HSE region. A total of 813, or 3.03% of the 26,000 staff is corporate. The HSE west is imposing cuts of approximately €7 million on services at Portiuncula Hospital, Ballinasloe, before the end of this year and approximately €12 million in Galway hospitals. The management of HSE west is calling for reconfiguration of the health system, which will affect these front line services, but there has been little or no reconfiguration of the management in the HSE. Furthermore, the HSE has indicated that a pilot scheme will be trialled in Dublin hospitals next year, whereby budgets will be allocated on the basis of how many patients the hospitals treat rather than the block grant associations we have had heretofore. This will wipe out hospitals where the Minister has sanctioned and the HSE has implemented cutbacks in front line services. The reconfiguration of hospital services under this proposal, albeit a pilot scheme, will lead to the downgrading of hospitals such as Portiuncula and probably Roscommon hospital in the Galway network. I ask the Minister to take control of the HSE to avoid situations like this.

Deputy John Perry: I congratulate Deputy James Reilly on tabling this Fine Gael motion, which is simple and clear. It calls a halt to the unfair and unjustified health cuts in the Sligo-Leitrim region. Breast cancer and mammography services have been removed from Sligo. This decision ignored the proven track record of the cancer care team at the hospital. The comments of Deputy Ulick Burke confirmed this. The team was producing results exceeding those achieved at top cancer clinics in the US and elsewhere. This month the HSE is imposing a further €12 million cut, bringing the total to €24 million in one hospital alone. Over 200 members of staff have gone, including over 100 nurses. All agency nursing staff are gone and there are restrictions on consultant locum cover and reductions in overtime. There have been cancellations to elective surgery and restrictions on theatre time due to staff shortages. Emergency equipment is barely maintained rather than replaced. There have been 60 bed closures and cutbacks in orthopaedic services from 48 beds to 12 beds, as well as cutbacks in angiography and cardiac services.

At present, Sligo hospital offers a premier cardiology and angiography service, with a three-week turnaround time for cardiac patients. With the proposed cutbacks, the service will be severely curtailed, resulting in patients being transferred to Dublin, where waiting times are up to six months. Lives will be lost.

It is clear that this Fianna Fáil-led Government and the Minister for Health and Children, Deputy Mary Harney, are determined to reduce the services and the status of Sligo General Hospital to a local district hospital. I am calling for no further reductions to front line staff or services. The scheduled loss of front line health services at Sligo General Hospital must be halted. High quality, highly specialised existing services are being removed and curtailed. The time has come for the people of this region to say to the Government and the Minister that enough is enough. The Fianna Fáil Deputies of Sligo-Leitrim chose to vote with the Government to remove cancer services from Sligo. This motion gives them a second chance to show where they really stand on health care services in Sligo-Leitrim. With this motion they have the opportunity to vote for the suspension of unsustainable cutbacks to front line health services in this region. With this motion they have a clear opportunity to send a message to the Government that the cutbacks are unjustified and must stop.

In their defence, local Deputies speak of Government promises to build a new 90-room unit and that Sligo General Hospital is shortlisted for a regional colonoscopy service. These are Fianna Fáil promises. They will carry the local Fianna Fáil politicians up to and past the next election. We will not know about actual delivery until after the next election. Actions here will be louder than any words.

I am determined that Sligo General Hospital will have its cancer services restored and will maintain its current regional hospital status, with the full range of specialised medical services. I am committed to the delivery of the new 90-bed unit, which is currently in the capital plan and at the pre-planning stage. I demand that the Minister approves Sligo General Hospital as the location of the regional colonoscopy service. That is confirmation of the calibre and confidence of the medical team at Sligo General Hospital. People all over the country are feeling the effects of health cutbacks to front line services and they want the cutbacks to stop. Any Deputy with a genuine interest in maintaining our standard of health care in a region serving 250,000 people must vote for this motion. Money can be saved and front line services can continue. The former Minister of State, Deputy Jimmy Devins, and Deputy Eamon Scanlon have an opportunity here as they are not members of the Fianna Fáil Parliamentary Party. They must vote with people and they have this opportunity.

Deputy Paul Kehoe: Services in Wexford General Hospital and St. Senan's Hospital, Ennis-corthy, are severely threatened. St. Senan's Hospital is threatened with closure and Wexford General Hospital is threatened with the removal of front line services. The Leas-Cheann Comhairle is well aware of what is under threat in County Wexford. I am not sure if the Minister is instructing the HSE and if it is doing spadework for the Minister, but she must examine what is happening on the ground. The HSE is a monster in the Department of Health and Children and the Minister is wholly responsible for it.

Maternity services in Wexford are under threat. In 2008, there were 2,399 births in Wexford General Hospital and over 2,500 births in 2009. That is a very significant number of babies being born in one county. There are proposals to remove the services from Wexford. There are continually people on trolleys and overcrowding in the accident and emergency units. I commend the Wexford alliance that was set up to protect services at Wexford General Hospital. I plead with the Minister and my Oireachtas colleagues from Wexford and I call on my Oireachtas colleagues who are part of the decision-making process to ensure future services at

[Deputy Paul Kehoe.]

Wexford General Hospital and at St. Senan's are retained for the people of County Wexford. There should be no further reductions in front line services.

The people of County Wexford have been very generous in fundraising for Wexford General Hospital over a number of years. A cancer care unit was built recently at a cost of €1 million. I am not sure the Minister is aware of this; I am not sure she or the HSE appreciates it. Only for the generosity of people across the country, our health services would be in dire straits. The Minister must take heed of this and of the millions of euro raised in County Wexford and across the country to keep health services afloat. Only for the generosity of many people, we would be in severe trouble. I give the Minister the message that she should keep her hands, Government hands and HSE hands off the services in Wexford, including psychiatric services and vital services in Wexford General Hospital.

Deputy Tom Sheahan: I refer specifically and directly to the new community hospital in Dingle, which remains closed. The old hospital, St. Elizabeth's, is in existence since the time of the Famine and comprises 43 beds with very limited shower and bathroom facilities. It is a three-storey building that is not suitable for people with mobility difficulties. The new community hospital was built at a cost of €16 million on lands kindly made available for a nominal fee by the O'Connor family from Dingle. Construction finished on this facility in December 2008. As we approach December 2010, it remains unopened. At last month's regional health forum, Members were advised that the facility costs €4,000 per week between security, lighting and heating and it remains closed.

The HIQA registration process was initiated in February 2010 and I wonder why it was left until that point. It has not been completed due to the fact that the facility is not meeting the standards required by HIQA. There was a communication from the HSE on 23 September.

The direction the Health Service Executive gave to members of the forum was that they had to communicate with HIQA on a way forward. I can give them the way forward. The Minister could have directed them and given them the way forward. She should invoke the grandfather clause. If they had opened the facility in Dingle, the HIQA grandfather clause would allow the Health Service Executive three years to bring standards up to date.

I commend Deputy Reilly on tabling the motion but, equally, I call on my colleagues, the Independent Member, Deputy Healy-Rae, and Deputy O'Donoghue to vote in favour of the motion and to have Dingle hospital opened immediately. If that is not done I ask the Minister to invoke the grandfather clause and to have to have Dingle community hospital opened immediately.

Deputy Pádraic McCormack: The motion gives every Member of the Dáil an opportunity to vote tomorrow night for the suspension of the unsustainable cutbacks to front line health services. We in Fine Gael believe that there are significant savings in the manner in which the Health Service Executive is run. I will return to that later if I have time.

First, I will deal with the situation in Galway with which I am most familiar. Does the Minister realise the hardship and suffering her policies, implemented through the Health Service Executive, is causing to the people waiting in vain for treatment? Does she know or care that 140 bed places are closed in the Galway hospitals, University College Hospital, Galway, and Merlin Park University Hospital? Does she know that there are 29,402 people on the outpatient waiting list in Galway? They would half-fill Croke Park on a good day, perhaps a Leinster final or semi-final. The figure last year was 23,000 indicating an increase of 9,400 in one year. A breakdown of the waiting list shows that 4,755 people are on the waiting list for ear, nose and throat operations. Some patients have been waiting four years for an operation.

A total of 4,224 people are waiting for approximately four years suffering in vain and in pain. There are 3,214 people on the waiting list for dermatology operations. A total of 2,337 people are waiting for neurology operations. There are 1,900 people on the waiting list for general surgery. I could give more statistics. The figures I have were provided in response to a question asked by Councillor Pádraig Conneely, chairman of the board of Health Service Executive west. There are several other minor waiting lists as well.

The Minister must establish her moral authority in this matter. In our FairCare proposals we will pay hospitals per procedure carried out rather than the current system of a block grant no matter what work is done. There should be accountability.

A total of €10 million is outstanding to Galway hospitals from insurance companies. A further €5 million has been lost through absenteeism. Does the Minister realise that a 1% reduction in absenteeism would save €1 million? There are 460 personnel in the Department of Health and Children. What are they doing and how many of them are rewarded with bonuses on top of their generous salaries? The Minister must address the culture that has grown up in the Health Service Executive. She cannot put wine into an old wineskin.

Deputy John O'Mahony: I wish to be as balanced as I can in the comments I make. I thank Deputy Reilly for tabling the motion. I will confine myself to the Health Service Executive west area and Mayo hospitals in particular. The Health Service Executive west has overruns of €50 million but I understand that Mayo General Hospital has an overrun of just €1 million and further efficiencies have been agreed. All we hear about is further cutbacks to hours of temporary nurses and front-line services. Mayo General Hospital is an efficient hospital. It was recently judged the fifth most efficient in the country. Its budget was reduced from €85 million in 2009 to €77 million this year. I wish to set down a marker. The hospital should be rewarded for its efficiency rather than penalised by further reductions in future budgets. The hospital is to be commended for choosing such measures as ring-fenced beds for surgery so as to allow it to continue to function.

There was much discussion in recent years about cancer services in the west. I do not wish to return to the debate. I am sure patients are receiving good care in University College Hospital, Galway. Due to the rotating closure of operating theatres in Galway because of the chronic financial situation there, the service provided in the centre of excellence is not as good as it was previously in the old system in Mayo General Hospital when the service was being provided there.

It is a different story altogether with the home help service, mental health services and the funding of voluntary services in the county. Following reviews, the home help service in County Mayo has been decimated. It used to be known as home help hours but it is now better described as home help minutes. The policy of the Government is to care for as many elderly as possible in the home. People are doing a wonderful job which is a social service as well as a medical service. The home help service is saving the State money, yet it has been cut by more than €500,000 again this year. Mental health services in County Mayo have been decimated. A total of 60 experienced mental health nurses have retired and were not replaced. Thousands of euro were spent a few years ago on the O'Hara Home in Kiltimagh, a day care centre, and it is now closed. I understand the closure of bungalows at Áras Attracta is being contemplated. This is very hard to take when we discover that in the Health Service Executive west area there is one administrator for every two nurses. Approximately €2.4 million in grants to the voluntary services have been cut. The demand for help from Western Alzheimer's has increased by 40% but its funding has been reduced by 30%. I commend the motion to the House.

Deputy Damien English: I thank my colleague, Deputy Reilly, for sharing time with me. When I look at the counter-motion all I can say is that it is time to get real. Before one can fix a problem one must admit that there is a problem. The dogs on the street know there is a problem with the health service, yet the motion is about clapping each other on the back. Reference is made to the affordability of nursing home care for 15,500 people. One can ask how many people have got it. A total of 15,500 people have applied for it but many of them have been waiting a long time for an answer. Many of the items referred to on the list in the counter-motion are in serious doubt and ignore the reality of the serious problems in the health service. We want them to be dealt with. We are not making them up. They are real. The Minister can say the average time on the waiting list is 2.6 months but she is aware that people come to our offices who are waiting 12 or 18 months.

Deputy Pádraic McCormack: People are waiting for four years.

Deputy Damien English: They are not statistics; they are real stories. Until the system is fixed, the Minister and her colleagues should not come into the House and clap themselves on the back. No one deserves that when people are still suffering. It is time we got real. Let us be honest and have a proper discussion. In most people's eyes the health service is not working. Perhaps it is working in the Minister's eyes. Perhaps it is her philosophy and the aim of a Fianna Fáil Government with the support of the Green Party and Independents with some Progressive Democrats history to drive people to a private health service.

Deputy Pádraic McCormack: That is it.

Deputy Damien English: Perhaps the Minister thinks the system is working. If that is the case she should be honest about it. She should let people know what they are going to get from the Government; what the Government intends to give them. Usually when there is debate about public health service cutbacks on the national airwaves the first advertisement seems to be about private health care. I wonder how that happens.

The Minister referred earlier to Navan General Hospital. My major concern tonight is the capacity issue. She said that elective surgery in Navan General Hospital was cut because of budgets. I have three questions for the Minister. Will she confirm who is responsible for the closure of services in Navan General Hospital? Is it the Minister, the Government or the Health Service Executive? According to the Health Act which set up the Health Service Executive, it is responsible to the Minister. Its job is to implement her policy. Who is closing the hospital and the services? We were not told the closure was due budgets, but we were told it was due to issues of concern. We all understand that concerns can arise and they should be investigated and dealt with. I would prefer a public independent inquiry on the matter. If there are concerns they should be sorted out.

We are being told that the reason elective and emergency surgery are being moved from the hospital is for those reasons. The Minister said today the reason is budgetary. We are all aware there is an issue with emergency surgery. I will not debate that issue with the Minister as there is proper health data on the matter. However, that is not the case with elective surgery. The HSE has said in meetings and on the airwaves that the reason is due to patient care. The Minister confirmed today that the reason is budgetary. Which is it? If the reason is budgetary, will the Minister deal with the staff who have told us lies on the airwaves in recent months about the real reasons for removing surgical services from Navan General Hospital. The Minister should deal with the issue if she is in charge.

Will the Minister tell the people of the north east exactly what health service she plans for them? Will she tell them what she believes they should have? Will she reverse this crazy policy

for Navan? There will be a massive domino effect if she removes elective surgery because the other services will go. Will the Minister give the hospital a chance to thrive? It is a good hospital and — I am not just acting as a local Deputy in this respect — it is a national asset giving a good service. If the Minister or the HSE have their way, it will be gone, which will increase the waiting lists because the capacity is not available in the north east to absorb the number of patients currently going through, as the Minister knows.

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

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

“in the context of the current economic challenges facing the country and the need for all regions in the Health Service Executive to operate efficiently within their 2010 budget provision:

- notes the huge improvements in recent years in the health of the Irish population, including the increase in life expectancy to 76.8 years for males and 81.6 years for females, increased survival rates for conditions such as breast and prostate cancer and reduced mortality from cardiovascular diseases, including strokes;
- notes the decrease in hospital infection rates of over 40% between 2006 and 2009;
- recognises that Ireland has one of the lowest infant mortality rates in the world;
- welcomes the endorsement from the European Union on being ranked second in Europe in quality palliative care;
- notes the very real progress in cancer screening and the fact that 122,000 women were given free breast cancer screening and 285,000 women had free cervical cancer screening last year;
- welcomes the fact that the HSE will deliver fully on the key areas of activity promised in its service plan for 2010, including 540,000 inpatient treatments, 689,000 day cases and 3.4 million outpatient attendances, 1.1 million emergency department attendances, over 9,500 home care packages and home help to 54,500 people;
- notes that the number of patients treated is a better indicator of the level of service provided than the number of beds available;
- welcomes the very positive impact of the fair deal scheme on the affordability of nursing home care for the 15,500 people who have applied for it and its positive impact on the problem of delayed discharges which has decreased by 30% since last year;
- welcomes the fact that data indicate that a significant majority of patients attending emergency departments are treated and discharged or admitted within the maximum waiting target of six hours;
- recognises that in these challenging times, the opportunity through the Croke Park agreement of introducing modern work practices, flexibility and deployment maximises the care available to patients;
- rejects misleading claims about the cancellation of operations which take no account of normal postponements for clinical reasons and the fact that hospitals arrange to reschedule patients’ admissions for the earliest possible date;

[Deputy Mary Harney.]

- welcomes the appointment of national clinical leaders in many medical specialties such as neurology, diabetes and stroke, who will determine how best to provide services which will give patients the best chance of a good outcome;
- rejects inaccurate claims about inpatient waiting lists and welcomes the fact that the average waiting time for elective treatment is now just 2.6 months, down from between two and five years in 2002; and
- pledges its continuing support to the Government in its work to provide a safe, fair and cost effective service for all.”

I wish to share time with the Minister of State, Deputy Áine Brady, and Deputies Cregan and Dooley.

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

Deputy Mary Harney: We heard the leader of Fine Gael today talk about black Thursday and the economic challenges this country confronts, which are immense, and about the role Fine Gael will play in addressing those challenges. Notwithstanding that fact, at 3.15 p.m. last Friday this motion was submitted in the name of the deputy leader of Fine Gael. The health service at present consumes 133% of all the income tax we raise in this country, which is unique in the developed world. It consumes 27 cent out of every €1 we spend or 11.8% of our national income, which again is very high and much higher than the OECD average or European average, and, given that our population is young, is very high in comparison with those countries that have a young population. In the good years, health spending increased by 8.8%. Notwithstanding all those facts and the need to confront the economic challenges in an honest and real fashion, Fine Gael tabled this motion.

Interestingly, the motion relates to hospitals in ten counties and does not relate to hospitals in Cork, Dublin, Limerick, Kilkenny or Waterford.

Deputy James Reilly: It does. It uses the term “for example”.

Deputy Mary Harney: With regard to those hospitals, Fine Gael proposes to increase funding in Clonmel by €300,000, in Merlin Park by €28 million, in Nenagh by €6.9 million, in Roscommon by €600,000, in Navan by €5.7 million, in Sligo by €18 million, in Letterkenny by €11.1 million, in Wexford by €11.4 million and in Ennis by €10.2 million. That makes €97.9 million on top of the €800 million those hospitals receive.

Deputy Pádraic McCormack: Who caused the problem? It was bad management by the Minister’s Department.

Deputy Mary Harney: We are not told from where that additional money will come. We are simply asked to provide it.

Deputy James Reilly: I just gave the Minister the figures.

An Leas-Cheann Comhairle: Deputies should allow the Minister to speak.

Deputy Mary Harney: I listened to Deputy Reilly, with respect. I know he is going to the Taiwanese reception, although I thought Fine Gael policy was the one China policy, which is interesting. That is the Deputy’s entitlement, however, and I will not take issue with him on that except to note that I understood his party’s policy was the one China policy.

Deputy James Reilly: It still is.

Deputy Mary Harney: I would correct Deputy Reilly by noting it is not the case that 10% of increased life expectancy is due to health care, it is 50%.

Deputy James Reilly: I dispute that with the Minister.

Deputy Mary Harney: Deputy Reilly would dispute it. He disputes everything with me.

An Leas-Cheann Comhairle: Deputies should allow other Deputies to be heard in the House without interruption, as they were heard.

Deputy Pádraic McCormack: No matter how much rubbish she speaks.

An Leas-Cheann Comhairle: Deputy McCormack should have some respect for the House.

Deputy Mary Harney: The fact is that 50% of the increased life expectancy in Ireland is due to better health interventions and 50% is due to our enhanced prosperity over the years since we joined the European Union. At that stage, we were below the EU average by more than a year and we have substantially increased life expectancy in the intervening years, which is a good news story.

Deputy Reilly criticised me for some of the data in the amending motion. If we are to have real debates in the country and in context, we must recognise that in the health area there will always be people looking for services that cannot be provided immediately. There is no doubt about that and there is no health system in the world where that is not the case. Fine Gael proposes in its fair care plan that there will be free general practitioner access for everyone in the country at a cost of at least €1 billion, yet we are told it will not cost any more money. Fine Gael proposes that there will be private health insurance for every citizen in the country who will get unlimited health provision in a timely fashion. That is not supposed to cost us any money either. Deputy Reilly has accused me of madcap policies and mythical mathematics, but if ever there was mythical mathematics, it is that we will increase GP service to the two thirds of the population that do not have it and it will not cost an extra penny, and that we will provide private health insurance yet individuals will not have to pay more and it will not cost taxpayers more.

Fine Gael's new finance spokesperson said at the start of the summer that he would revisit these policies, although I do not know if that has yet happened. If we are to have a real debate in this House about an alternative approach, we must at least be honest about costings and about the financial situation in which this country finds itself.

Deputy Pádraic McCormack: That the Government put it in.

Deputy Mary Harney: The allegation from the Opposition is that there is a closure of beds. There are 1,000 or 1,100 beds closed and to open them would require €300 million. Notwithstanding the fact those beds are closed, just as many patients will be treated this year as last year. That is a fact. I imagine this will be saluted.

Central to changing work practices within the HSE, which is a very important agenda item for me, is the recent Croke Park agreement. Central to that agreement is flexibility and redeployment. In Clare recently, when the HSE was moving nurses from Ennis, where they were not required, to Limerick, a Fine Gael Deputy opposed this. We are told money should follow the patients, but surely staff should follow the patients as well. Where does Fine Gael stand on the Croke Park agreement? At the first opportunity to implement what is at the heart

[Deputy Mary Harney.]

of that agreement, Fine Gael balked when Deputy Breen strongly opposed the nurses moving from Ennis to Limerick, where they are required.

Let us be clear. If we are to continue to provide a high quality service for our patients and to provide as much service as we possibly can, this will require a considerable reduction in public spending this year, next year and until at least 2014, because we must work until then to reduce the Government general balance from the underlying position this year of 11.9%, excluding the once-off EUROSTAT requirement for the promissory notes to be added in. This reduction will have to take place in areas such health which accounts for a large proportion of public spending. That will be the story no matter who is Minister or what parties make up the Government. We must be clear on that. This is why there will have to be greater emphasis on work practices, staff ratios, flexibility, longer working days, five-day week wards and more same-day admission for surgery. Thankfully, we have greatly increased day case activity in most hospitals and it now exceeds 70% in many hospitals whereas it was 50% just a couple of years ago. That said, we must do more.

In some of the hospitals, and this applies to University College Hospital Galway, the level of absenteeism is at 7%, which is twice what it should be. It is extraordinary that if one works in the public services generally, one is more likely to be out sick than if one works in the private sector. I do not know why this should be the case. Absenteeism in that hospital alone costs more than €140,000 a week and this issue must be addressed within the hospital and within the country. That hospital——

Deputy Pádraic McCormack: What is the Minister doing about it?

Deputy Mary Harney: I would expect that when people come to the Deputy to leverage political support for challenges they face, at the least he would confront them with the challenges they can address. There was a litany of examples, especially in the west during the time of the Western Health Board, when year after year it ran over budget and the political system was leveraged to rescue the health board. That leverage no longer exists because the money does not exist to do that. All we expect every region to do is to live within the budget allocation given to it for 2010. No one is asking for a cutback in that budget, we are not having a supplementary budget and there is no emergency budget. We are asking that the budget allocated, the €15.3 billion we allocated to the public health service this year, which is 27% of Government spending, would be lived within in every region. Where that cannot happen, issues must be addressed, hospital by hospital or community care area by community care area.

The budget for the health service in the west, which was the focus of a number of contributions, is more than €2 billion this year. To put that in context, it is the amount we spent on the whole health service in Ireland in 1994-95, which is a considerable amount. Perhaps we could do with more money, and we would love to have more, but we do not have the luxury of having more given the financial challenges this country faces. That budget should be able to deliver for the west and its citizens what was planned in the service plan. I expect to see the plan's targets adhered to in the west during 2010 as much as I do for the entire country.

Regarding home help in the west specifically, 16,000 families will get home help services. Of course they could do with more and I wish we could have more, but we have maintained the budget for home help services this year. An extra €10 million went into home care packages and home help services in 2010, notwithstanding——

Deputy Pádraic McCormack: Are they being delivered?

Deputy Mary Harney: —our financial challenges. Of course we could always do with more. Could we do with more hours for the individuals who have a service? The answer to that is clearly “Yes”.

Deputy Pádraic McCormack: No accountability.

Deputy Mary Harney: Unfortunately, we do not have the resources to do it. What we were able to do was put an extra €10 million into home care packages and home help services. Some 54,000 people in the country get home help services and just under 10,000 people are in receipt of home care packages. My priority and that of the Government is to continue to support people in living at home.

Deputy Burke mentioned the reference in the Government’s amendment to the motion to the fair deal. Some 39 applications to the fair deal have been refused and just under 11,000 have been approved. Some 4,000 are currently in application. Of almost 11,000 that have been granted, 39 have been refused.

Deputy Damien English: Over one third of applications are waiting for an answer.

Deputy Mary Harney: They are recent applications. The responses are made in a timely fashion and money is not an issue in that respect.

Deputy Damien English: The Minister should not give the impression that——

An Leas-Cheann Comhairle: Please, allow the Minister to continue.

Deputy Mary Harney: As a result, the number of late discharges from our acute hospital system has decreased by 30%.

Deputy Damien English: Good.

Deputy Mary Harney: This is an improvement and I wish the overall figure was zero, but the figure is going in the right direction, just like that pertaining to hospital infections and some of the other issues mentioned in our amendment.

Deputy Perry mentioned Sligo General Hospital, where the absentee rate is just under 5%, or 9,222 hours per month. In Navan hospital, the relevant figure is 4.74%, or 3,549 hours per month. In Letterkenny General Hospital, the figure is 10,392 hours per month. In Portiuncula Hospital, the figure is 4,982 hours per month. The HSE is working with those hospitals to address the absentee issue but we must all be at one, in that these rates of absenteeism in our health service cannot be justified.

Deputy Pádraic McCormack: What is the Minister doing about them?

Deputy Mary Harney: I would like to know what the Deputy is trying to do about it instead of putting pressure here.

Deputy Damien English: We have not had six years in office.

An Leas-Cheann Comhairle: Allow the Minister. I ask her not to invite crossfire.

Deputy Mary Harney: I am trying to respond.

Deputy Pádraic McCormack: She is digging.

Deputy Mary Harney: I want to answer, given the short time I have left.

An Leas-Cheann Comhairle: The Minister has two and a half minutes left.

Deputy Mary Harney: I want to answer some of the questions put. No one in the Department of Health and Children gets a bonus. Deputy English or one of his colleagues asked how many people got bonuses.

Deputy Damien English: I did not ask that.

Deputy Mary Harney: Maybe it was Deputy McCormack. Two Deputies mentioned crutches. First, there are litigation issues. Second, it is cheaper to buy new crutches than to sterilise old ones. This is an issue in which I have been involved for the past year and I want to put the record straight.

Deputy John O'Mahony: That is crazy.

Deputy Catherine Byrne: Madness.

Deputy Mary Harney: There are many examples of medical appliances that can be reused and a greater effort is being made to do so. That programme has been accelerated recently.

What has been moved at Navan hospital is acute emergency surgery. One——

Deputy Damien English: And elective surgery.

Deputy Mary Harney: No. If the Deputy just listened. I tried to deal with this issue during Question Time.

An Leas-Cheann Comhairle: Please, allow the Minister to reply to the questions put.

Deputy Mary Harney: On average, one acute emergency surgery is admitted to Navan hospital every 24 hours. For patient safety reasons, that person will no longer go to Navan, but instead go to Drogheda. That is what has been cut for reasons of patient safety.

Deputy Damien English: With respect, that is not the case.

Deputy Mary Harney: Regarding orthopaedic surgery, which was the purpose of the question——

Deputy Damien English: No, elective surgeries.

Deputy Mary Harney: Yes, elective surgeries. It is a centre for orthopaedic services. Those will remain in Navan but, from the middle of this month——

(Interruptions).

An Leas-Cheann Comhairle: Please, let the Minister put her speech on the record. The Deputies will have an opportunity to reply.

Deputy James Reilly: On a point of information——

An Leas-Cheann Comhairle: The Deputy knows there is no such thing in our Standing Orders as a point of information.

Deputy James Reilly: Then a point of clarification or a point of order.

An Leas-Cheann Comhairle: A point of order, if you please.

Deputy James Reilly: On a point of order, the Minister is trying to tell the House that orthopaedic surgery is the only elective surgery.

An Leas-Cheann Comhairle: That is not a point of order.

Deputy James Reilly: The general elective surgery of general surgery has been taken away.

Deputy John Cregan: She did not say that.

Deputy James Reilly: We are discussing 1,800 cases per year, which cannot—

Deputy John Cregan: She was referring to orthopaedic surgery that was elective.

Deputy Damien English: The Minister should get with the programme.

An Leas-Cheann Comhairle: I ask Deputy Reilly to resume his seat. If the Minister and Deputies will allow, I will say something. Deputy Reilly will have the right to reply to this debate because it is Private Members' business. We will get much further if people would just listen. If they want to rebut points made, they will have ample time to do it, but we do not shout people down. That is not how a Parliament works. The Minister to conclude.

Deputy Pádraic McCormack: Is that how it works? That is not how the HSE works.

An Leas-Cheann Comhairle: If Deputy McCormack wants to continue interrupting, I will ask him to leave the House.

Deputy Mary Harney: From the middle of October to the end of this year, elective orthopaedic surgery will be suspended for cost reasons. That is what I stated. It will remain in Navan, as that hospital has been identified as a centre where orthopaedic surgery will and can continue.

Deputy John Perry: Suspended.

Deputy Mary Harney: During that period, I hope the orthopaedic surgeons will deal with the outpatient list. Many of the people on it will never require surgery and could have physiotherapy services instead or might not require further expertise.

Deputy Damien English: It is elective surgery.

Deputy Mary Harney: Clearly, Fine Gael's motion relates to ten counties. It is about seats in those ten counties.

Deputy Damien English: For God's sake.

Deputy Mary Harney: I do not know what Fine Gael's answer is to the other counties. At a time when the country faces its greatest financial challenge ever,—

Deputy John O'Mahony: By whom was it caused?

Deputy Mary Harney: —that the main party in the Opposition and its deputy leader are advocating additional money for the public health service is not acceptable.

Deputy Damien English: No. We want better use of public money.

Deputy John O'Mahony: Have cutbacks been approved?

Deputy Mary Harney: I am surprised that Deputy Reilly should continue to pursue these policies in his new role as deputy leader of Fine Gael.

An Leas-Cheann Comhairle: Deputy Cregan has five minutes.

Deputy Damien English: The Minister is in the wrong parliamentary—

An Leas-Cheann Comhairle: Please, allow Deputy Cregan to make his contribution.

Deputy John Cregan: I welcome the opportunity to speak on this important debate. Given that I have heard few contributions relating waiting lists, matters are not that bad. We all have an obligation to ensure the public is treated for elective surgery in particular in as quick and efficient a manner as possible. I commend the National Treatment Purchase Fund, NTPF, which has reduced the average waiting time substantially from between two to five years to two and a half or three months in some cases. This is progress and the Minister should be commended for the significant part she played in it.

As the Minister stated, many Members on the far side of the House have used the opportunity to mention parochial issues. That is human nature and we all take liberties at times. However, now is the time to be serious about the situation this country faces. From time to time, the HSE comes in for a great deal of criticism from us all. Some of that is merited, but much is not. It is unfair that we often point the finger at administrative staff, management and so on. The HSE is the largest employer in the country. Its 100,000 employees comprise many different stakeholders. Human nature being what it is, each stakeholder wants to hold his or her own ground and to get the best for the people he or she represents. While this can be commendable, the time has come for each stakeholder within the HSE to buy into creating the efficiencies mentioned by the Minister and Deputy Reilly. It is fair to say they were in agreement on some of their points, which was sensible and responsible of them. Where HSE west is concerned, both Members pointed out where further efficiencies and savings could be made, whether through dealing with absenteeism, collecting additional insurance money or so on.

My area forms part of HSE west and is facing a situation similar to that faced by all of HSE west. I commend the stakeholders for the responsible manner in which they have behaved in recent weeks. Deputy Jan O'Sullivan on the Labour Party benches convened a meeting between public representatives and trade unions. It is only fair to commend the trade unions involved on the responsible way in which they played their role.

A theatre was to close down in Croom but I received a call from an orthopaedic surgeon who told me there was a better way to make the same saving. The HSE asked what the other way was and sat down in a dialogue. The theatre will not now close. This was a sensible and responsible approach. Another issue arose when staff in the orthopaedic hospital in Croom were to be redeployed to the regional hospital in Limerick. The trade unions sat down and agreed to allow it.

It is not all bad. There are ways in which we can create further efficiencies. At present, the total spend on health amounts to all our income tax moneys plus one third of other income to the State. We cannot have it every way. Of course, we want the best health service possible for the people in our country but we also want the best justice and law and order system, the best education system and every other kind of system. We must be fair and reasonable. The sum available is €14.6 billion and we have to bring in efficiencies and work within the budget. We did that successfully in many of the health boards throughout the country and I believe we will do so again, certainly in HSE mid-west. It is important that we should have at least the same level of successful outcomes, enhance that where and if we can and continue to work in that fashion.

8 o'clock

I commend the Minister for Health and Children, Deputy Mary Harney, for her stewardship in recent years. Like the Taoiseach, she has been the subject of personalised attacks on many occasions by Members both inside and outside the House. That is despicable. If we want to criticise a person we should do so on his or her performance, but that is not possible in this case because the Minister has performed exceptionally well.

Deputy Timmy Dooley: I welcome the opportunity to contribute to this debate and I echo the sentiments expressed by Deputy Cregan in regard to the Minister, Deputy Harney, who I have found, in the years I have been in this House, to be extremely open to new ideas and prepared to engage and deal with difficult situations where they arise. That is not how she is characterised outside the House. Like the previous speaker, I find it difficult to understand how she can deal with some of the slurs and insults that are thrown her way. I suppose it is a test of her character and she has won it well.

We all accept that the protection of front line services is of the greatest importance and the Minister and the Government are striving to deal with this, especially in the current difficult economic climate. There is a requirement for all of us to show leadership and to try to bring the people with us. To some extent, I was taken by how Deputy Reilly put forward the Fine Gael proposal. He spoke about the necessity for money to follow the patient and set the overall framework of how his party would deal with the health service. That is fine and the Minister responded to some areas where she found inaccuracies. At least the Deputy was talking about a co-ordinated plan but speaker after speaker who followed him complimented the Deputy for his proposal and then sought to undermine what he had said by considering local issues and discussing services rather than patients. Deputy Reilly clearly stated that money should follow the patient and I respect him for that. He said that, in so far as one can, one must focus delivery of the health service on the patient. That is clearly set out in the way reconfiguration works.

I will not go over the same ground again but the Minister referred to a situation where a Deputy in County Clare sought to undermine what is being done, although it had been agreed by the unions in the Croke Park deal. I find it difficult when a nurse comes to me and complains in a clear way that she does not want to move to another hospital. On a personal basis I can understand that but if the matter has been agreed by the unions and is in the best interests of the patients concerned, what end are all of us here to serve? We must be careful and stop fanning that flame, undermining the health service and the majority of its people who deliver a fantastic service. We have to get behind them and their union leadership and work towards a reconfiguration process which is based absolutely on patient safety. That must be central to the delivery of our health service. People must have confidence in the care they receive and have the best possible outcomes. I have seen this with the reconfiguration process as it has developed in Ennis. It was very difficult at the outset because there were certain political people on the other side who had local interests at heart. Using fear, some put forward the notion that if the reconfiguration process were to take place as outlined by the Minister and the HSE in the region of 20 people per year would die. That did not happen and, of course, there are no headlines when something does not happen. It is very hard to propose the notion that people's lives have been saved as a result of configuration.

We must continue with that work. It is not only about saving money but in the financial position in which we find ourselves, as the Minister set out, the incremental increases that had been occurring year on year are no longer there. This will force change. I am concerned that certain people on the other side have told Deputy Reilly that they are not prepared to accept that change. They have said as much in his company albeit behind his back. They are not prepared to accept that change which is necessary. If the extra money does not exist, it is clear we must do more for patients with less money but only if we work differently. The unions

[Deputy Timmy Dooley.]

recognised this in the Croke Park agreement. Deputies in this House must show leadership and find ways to do this. Deputy Cregan identified ways in which it has been done and I have seen other examples in the county I know best. It is possible to move forward, holding the views of workers and management to hand, and to develop a proper model that can be worked more efficiently from both a cost and a labour-intensive point of view.

Minister of State at the Department of Health and Children (Deputy Áine Brady: I thank Deputies for raising the issue of Dingle Community Hospital as it provides me with an opportunity to address this issue and reaffirm the Government's commitment to providing quality residential care for older people. The Government's policy is to support older people to live independently and with dignity in their own homes and communities for as long as possible. Where this is not feasible, the health service supports access to quality long-term residential care where this is appropriate. We continue to develop and improve health services in all regions of the country and to ensure quality and patient safety.

It is important that we have effective mechanisms in place to maintain and enhance public confidence in the delivery of quality services. The well-being and safety of the individual resident guides us in reforming the health service. This Government places great importance on the policies, standards and legislation we are implementing to achieve this end.

Older people deserve the highest quality of care in both public and private settings. Formal standards are a key requirement for inspection and registration. They set a benchmark for service providers to deliver a service that promotes health, well-being and quality of life. With this in mind, my colleague, the Minister for Health and Children, Deputy Mary Harney, approved national quality standards for residential care settings for older people in February 2009. As Deputies are aware, there are 32 standards under seven groupings, namely, rights, protection, health and social needs, quality of life, staffing, the care environment and governance and management. These standards set the benchmark for residential care settings for older people in Ireland and deal with, among other issues, their physical environment. Standard No. 25 states: "...the location, design and layout of the residential care setting are suitable for its stated purpose. It is accessible, safe, hygienic, spacious and well maintained and meets residents' individual and collective needs in a comfortable and homely way."

However, the standards are about much more than infrastructure. They are resident-centred and provide a blueprint for the provision of a higher standard of care, delivered against a set of understood and developed criteria, designed to improve and enhance care and recognise good practice. They are evidence-based and identify whether the best services possible are being delivered in an effective and appropriate way.

Older people, their families and the public must have confidence that quality standards are being implemented across the system. These standards will play a pivotal role in driving improvements in the quality and safety of residential care for older people in the years ahead. The standards are underpinned by both the care and welfare and the registration regulations. They provide the chief inspector of social services, who is part of HIQA, with a regulatory framework applicable to all nursing homes. The chief inspector is responsible for the registration and inspection of nursing homes and for ensuring they continue to meet the standards.

As Deputies are aware, the new community nursing unit in Dingle and the time it is taking to open it have attracted media attention, locally and nationally. I understand planning permission was granted by Kerry County Council in early 2007. The original design had to be modified due to the compulsory purchase by the council of some of the site for an inner relief road. Work on site started in October 2007 and was completed in December 2008. The HSE equipped the new unit over the course of 2009 and submitted the completed registration pack

to HIQA in April 2010 to enable the centre to be registered and to open. HIQA inspected the unit in June and the chief inspector issued the notice of proposed decision on registration on 15 September. Under section 54 of the Health Act 2007, the HSE has 28 days to make representations concerning the proposed decision. I understand discussions are ongoing between the HSE and HIQA on the proposed decision and I am confident the issue will be resolved.

It will be clear to the House from this outline that this Government's commitment to ensuring the safety and well-being of residents in nursing homes is undeniable and we will continue to work with all relevant stakeholders in this sector.

Deputy Jan O'Sullivan: I wish to share my time with Deputies Caoimhghín Ó Caoláin, Brendan Howlin and Seán Sherlock.

An Leas-Cheann Comhairle: That is agreed.

Deputy Jan O'Sullivan: I commend Deputy Reilly and his Fine Gael colleagues. It is very important for us to debate this motion tonight. There is a great deal of pain, suffering pain and concern within communities around the country because of the numbers of people on trolleys, waiting for operations and because of the numbers losing their services, including those with disabilities and the elderly who are losing the home help hours and the aids and appliances they need to live their daily lives in some type of comfort.

This is not a mirage, rather it is the reality we all know as public representatives, because people come into us every day with these issues. People are waiting in some cases, years, to have procedures carried out. Admittedly some of them are not on the waiting lists about which we have statistics, because they are waiting to get from the GP to the outpatients' department before they see a consultant who will then put them on the list. Some three months after that they start to be counted.

There are many problems in the health service and that is not accidental. I have a reply here from the new head of the HSE, Mr. Cathal McGee, which acknowledges that €1.3 billion was cut from the Executive's allocation in 2010. That has to come from somewhere. As the HSE is such a cumbersome organisation, the way in which it implements such cuts is to bludgeon. It is literally a question of cutting front line services, by and large. We have not seen the backroom reforms and other measures that might have alleviated some of the pain.

I am sorry the Minister is no longer here, but she read out a list of costs that the Fine Gael motion would embrace. However, all Fine Gael is doing is seeking to maintain front line services in the various hospitals that are listed as examples and ensure there are no further reductions. The Minister has effectively conceded that all that money has actually been taken out of the service. The motion is simply asking that the existing front line services be maintained. Therefore the Minister, in her contribution, has effectively made the case for the fact that this is a very important motion and that real pain is being experienced.

She also made the argument very strongly for the type of reform the Labour Party has been talking about since 2001. She referred to the figure of £2 billion that was being spent on the health service in 1995, I believe. In the Labour Party document for 2001, we had a figure of £5.5 billion as the amount being spent on the health service at the time. We said that to produce the universal health insurance reform we were proposing the cost would go up to £7 billion. The present figure is around €15 billion — it went up more or less to €16 billion, but has come back down yet we have not had the reforms. Therefore we have this loss of service, and all these waiting times because we have not had reform.

All we had was the setting up of the HSE, which was a setback to reform, in my opinion, rather than an improvement. It is such a centralised monolithic organisation that it makes it

[Deputy Jan O’Sullivan.]

very difficult for anybody to achieve reform in that context. The Minister has effectively admitted defeat in what she said in her speech. The cost of the health services are not high relative to other European countries, although it represents a high proportion of the amount of tax being taken in. However, we have not had the reforms to allow the money to be spent efficiently to provide the front line services that other European countries can achieve on similar GDP percentages.

The Minister has therefore acknowledged that she has not reformed the health service and that we are spending a considerable amount on it but are not getting value for our money. I am particularly concerned, on reading today that the number of people on trolleys is 420. I have the figures here for the various hospitals all over the country, and it is 33 in the Mid-west Regional Hospital, in my constituency. Our region is supposed to be the shining light as regards configuration for the rest of the country, yet our main hospital has 33 people on trolleys today.

The highly respected former Fianna Fáil councillor for many years and former chairman of the health board, Mr. Jack Bourke, with whom I served on Limerick City Council, was quoted recently in the media as being appalled at the whole situation when a family member attended the hospital’s accident and emergency department. He was not complaining over the treatment but about the conditions in the accident and emergency department in Limerick and the number of people waiting. The attempt to reconfigure in Limerick was meant to include a critical care block, which has not yet started. It was meant to include many day services in Ennis, Nenagh and St. John’s as well as other diagnostics and services in the smaller hospitals. On paper it looked quite good, but unfortunately it has not been delivered. One of the results of this is that 33 people are on trolleys.

I should like to quote Mr. Paul Burke, the person who is implementing reconfiguration and who is very committed. He is a very fine clinician, somebody I respect enormously, and I know he has tried very hard to make reconfiguration work. I am quoting from the most recent edition of the *Medical Independent*, where he says:

One area of agreement that is common to all sides of the debate is the impact of the staff moratorium.

A 1.8 per cent decrease in the numbers of people with private health insurance — equivalent to 42,000 people — in the 12 months to June 2010 has increased the demand on public health services, including acute care.

Combined with the moratorium, this leaves consultants in a difficult position when trying to deliver a workable process of reconfiguration.

“More than the funding itself, the big difficulty has been the moratorium and our resulting ability to effect change,” said Mr. Burke.

“We could have done a lot more, much more quickly, even if we were working in a budget-neutral situation. But for example, when we closed the in-patient surgical wards in Ennis and Nenagh, there were a number of staff there who were either redeployed or took early retirement and under the moratorium, we didn’t get those retirees WTE.

“So then when I said, ‘We want to develop things more quickly here’ in terms of getting more nurses and a greater pool to draw from, when I went looking for these people they were gone, thanks to the moratorium.

“So yes, this hospital [Limerick] has become busier and there is greater pressure on staff.”

Mr. Burke explained that Limerick has taken a “double-hit” in terms of staffing pressures because of the moratorium.

“There would be the usual, natural loss of jobs because of retirement and so on, but because a number of people said, ‘Well, I’m not going to move to Limerick at this stage’ and took early retirement, there were a large number of people in our region who would have made that decision, rather than somewhere where there were no changes occurring, and in that sense, we took a double-hit because of the moratorium.”

I read that out because I wanted to make a case this evening for the moratorium to be substantially reviewed. It is causing untold problems and that is an example of somebody who is genuinely committed to reconfiguration, and who is finding the moratorium is making it almost impossible to achieve the Government’s policy in this regard.

We also saw reports during the summer whereby HSE west and other regions found themselves in the ridiculous position of having to take on agency nurses in particular along with other health care professionals, at an extra 40% to 50% of the cost they would otherwise have had to pay. I strongly argue that this needs to be addressed.

Another point I wanted to make relates to the insurers. I got a reply to a parliamentary question which said that by the end of 2009 some €41 million was owed in insurance charges to HSE west, and a further €2.5 million was owed to St. John’s Hospital in Limerick.. That is appalling inefficiency and if collected would make up the kind of money that is needed. My final point is about those crutches. I do not accept the argument to the effect that it is not cheaper to reuse crutches. There are plenty of materials that can hygienically clean articles such as crutches. I urge the Minister to rubbish whoever told her it was not cost effective to reuse crutches.

Deputy Caoimhghín Ó Caoláin: Ba mhaith liom mo bhuíochas a ghabháil don Teachta Uí Shúilleabháin.

I support the motion in the name of the Fine Gael Deputies and I urge all Deputies of every party and none to support the motion. A major price is being paid for the misgovernment of this State over the past 13 years, and among those paying heavily are public patients in our health services. They are now subject to savage cutbacks that are closing hospital services, shutting down beds and wards, increasing waiting lists and waiting times, worsening the overcrowding in accident and emergency departments and slashing a whole range of services in the community.

Last Friday, 1 October, the Fianna Fáil-Green Party Government began the imposition of prescription charges on medical card holders. The Government claims that these charges are being imposed in order to save money on the State’s drugs bill. In fact, the charges typify the perverse economics of this Government, placing a further burden on those least able to afford it rather than tackling the real problem. The real savings are to be made by reducing the profiteering of manufacturers and distributors of drugs and tackling over-prescription and wastage. In addition, the charges are causing confusion and creating another costly bureaucratic nightmare for patients, pharmacists and the HSE.

The so-called rebel backbenchers who have been raising health issues over the summer were happy to trip in behind the Minister, Deputy Harney, and her Cabinet colleagues to vote for the prescription charges Bill on the day before the summer recess, and they have voted for every health cut in every budget since 2007. This week they have a chance to redeem themselves and demonstrate their sincerity in raising the health service crisis in their regions. Then it will be up to the voters to decide whether the real concern of these backbenchers is hospital beds and health services, or Dáil seats.

One of the hospitals mentioned in the motion is Monaghan General Hospital. The removal of services from this hospital, culminating in the ending of acute services on 22 July 2009,

[Deputy Caoimhghín Ó Caoláin.]

has been used as a template for the downgrading of other hospitals. Government and HSE centralisation policy, as well as the tightening regime of cutbacks, including the recruitment embargo, sees hospitals across the State under threat. The latest to fall victim were also in the north-east region — Louth County Hospital in Dundalk and Our Lady's Hospital in Navan. The cumulative effect is to greatly increase the burden on Cavan General Hospital and Our Lady of Lourdes Hospital, Drogheda.

The north-east region is now the least well equipped to deal with the further savage cuts coming down the line courtesy of this Government. In June we had the closure of the emergency department at Louth County Hospital, Dundalk, and the removal of both the rapid response vehicle and the patient transport ambulance from Monaghan to Castleblaney. In a meeting between union officials and HSE administrators yesterday, it became apparent that the HSE intends to further cut services at Our Lady's Hospital, Navan. Some 13 surgical beds at the hospital are closed from this morning, while the whole of St. Pius's ward is also being closed. The HSE has said there will be redeployment of staff and there may be redundancies.

The Save Navan Hospital campaign is organising a major rally in the town of Navan on 30 October. More than 100 staff on fixed-term contracts in Letterkenny General Hospital have received notice that their hours will be cut by seven hours per week. This is at a time when front line staff and users both say the hospital is full to capacity. The HSE's plan for Letterkenny also includes the following proposals: the closure of one intensive care unit bed — a 20% cut; the closure of the pharmacy; the cessation of all elective surgery until the end of 2010; and the closure of the mortuary at weekends. In the context of recent road tragedies in County Donegal, how would Letterkenny hospital cope in the event of — God forbid — any recurrence?

This is all happening at a time when we have already seen significant bed closures in Letterkenny and Sligo General Hospital over the last 18 months. The so-called overspend at Letterkenny General Hospital is directly related to the cuts in funding to that hospital following budget 2010. Today we also learned that the HSE is to cut its funding scheme which assists 250 cancer patients from Donegal annually with the cost of flights to Dublin for treatment. This project was initiated by the community in Donegal in 1996 and is now in jeopardy due to these heartless cuts. Hospitals across the State, including excellent hospitals such as South Tipperary General Hospital in Clonmel, which I visited a year ago on 12 October, continue to be under threat from the centralisation policy and cutbacks of the Fianna Fáil-Green Party Government.

It is not only acute hospitals that are being targeted. On several occasions I have raised the case of the public nursing home at Loughloe House in Athlone, which the HSE tried to close earlier this year. Thankfully, due to a campaign by the local community, this facility remains open, but it is still under threat. It is feared by people in Wicklow town that Wicklow District Hospital, which provides long-term and respite care for older people, faces the same fate. Respite beds have already been cut. The community has received information indicating that the HSE is planning the closure of the hospital and, as in Navan, a protest march has been organised for this coming Saturday in that town.

The Members on the Government side have repeatedly voted confidence in the Minister for Health and Children, Deputy Harney. This is the Minister who said recently that there was no more money for health care in the west while opening a €100 million extension to the private, for-profit Blackrock Clinic, part of the private health care industry that she and her Government colleagues of all hues heavily subsidise at the expense of the public system. It is incredible. We are living through a nightmare in terms of health care provision and delivery systems. If someone had written this in different times we would never have believed it possible. However, that is the way it is, and the dark clouds that descended over the community I am proud to be

part of and to represent in the House have now spread to many other locations across the State, just as we forecast at the time. My sympathy goes out to each one of those people, those families, and those communities at this time. Something must be done.

I commend hospital and health campaigners across the country, and I urge people campaigning on health issues in the regions and nationally to keep up the pressure, particularly on Government-supporting Deputies, not least those who have allegedly taken a stand of concern for their communities with regard to the ever-diminishing delivery of hospital and health services. I hope this people-led effort will help to hasten the departure of a regime that has caused major hardship in our public health services and great distress for people across the State.

Debate adjourned.

Announcement by Minister for Finance on Banking of 30 September 2010: Statements (Resumed)

Deputy Damien English: The state of banking has changed since I last spoke on this issue because we have been told that our growth rates will not be as predicted. The Minister for Finance and the Governor of the Central Bank continue to tell us our debts are manageable. However, while we can manage by cutting costs and making people suffer, the overall national debt will not go away. We can barely meet the cost of servicing our debt through cutbacks.

Today I listened with interest to the Taoiseach as he tried to separate banking debt from national debt. I am afraid to say that it is all debt. We do not have the luxury of treating them separately. Our overall national debt, including the bank bailout, is a black cloud which will hang over this country for a long time. The Taoiseach needs to cop on because the country will have to repay this debt at some point. I do not see any major plan from this Government for repaying it, however. It intends to manage the interest on the backs of everybody in this country but that is where it stops.

The cost of bailing out the banks is the reason for the increase in the interest rates we pay on our debt. The structural deficit in our budget is similar to that of other countries, many of which have plans in place to rebalance their finances, but this deficit can be fixed over time. The market is scared by our banking debt and this is why we are paying higher interest rates than the likes of Germany. I ask the Taoiseach to refrain from separating the two issues as if they are unrelated.

The Minister and the Government lacked the maturity to take on this crisis. This is why so many incorrect decisions were taken. The decisions to bail out Anglo Irish Bank and to tell the Dáil that it would not cost anything were terrible. Even a few months ago, we were told it would only cost €20 billion. These statements were misguided and wrong. Many journalists are now writing that the Minister, Deputy Brian Lenihan, is not the man everyone thought he was. This Government is not able to manage the crisis. It does not have the ability to negotiate with bondholders. We are led to believe it was conned by the bankers but it may in fact have been aware of what was going on. The Government's lack of ability means our problems will continue unless it resigns to allow new parties which have the answers to take over. We have clear minds and consciences because we did not cause the crisis.

When NAMA was first announced, the Minister stated it would get money flowing to businesses but it has not and will not solve the problem of credit. Small and medium enterprises are suffering. Every day I walk down the streets of Navan, Trim, Enfield or Oldfield, I see another closure. These closures are preventable because most of the businesses involved are viable. They may have to employ fewer staff or make slight adjustments but they can survive

[Deputy Damien English.]

if they get help from the Government. Sadly, there is no plan to help small and medium enterprises. The three and four year old policies of the good times have not shifted. The situation is getting worse because of the lack of credit. NAMA has not fixed this problem.

Last week I addressed the need for a national recovery bank. Perhaps we no longer need to establish a new bank given that we own 92% of AIB but we need to provide money to small businesses. The Minister's great idea for NAMA is a disaster in terms of helping small businesses to get credit. Let us move on to a new plan for getting money flowing again.

Businesses would have the potential to access credit if they were given professional guidance and advice on redrawing their business plans. The UK has introduced health checks for businesses. The mentoring provided through enterprise boards cannot solve every problem. A lot of business people work very hard over 60 to 80 hour work weeks. They are very familiar with their businesses but they may not have had the time to get the financial training they need to continue.

We cannot continue to ignore the issue of personal debt. Addressing the issue will help people to remove the dark clouds over their own finances. I do not advocate writing off debts, rather we should help people to plan a way through their debts by, for example, paying off short-term debt over the longer term. By making personal debt more manageable, we will increase consumer spending and, in turn, create more jobs.

We cannot believe the Government's employment creation plans. The rehashed announcements of jobs solely pertain to international big businesses and do nothing for the small businesses who need to see an increase in domestic as well as international demand.

The Government should stop telling us everything is fine when it clearly is not. Ministers must admit they are wrong and agree to a change of direction. They should listen to this side of the House and put in place plans which will help to restore the country to its feet and pay off our debts.

Deputy Michael Kennedy: I welcome the opportunity to speak on this debate. When we received the final bill for our bank bailout last Thursday, I was reminded of a sick person getting a doctor's diagnosis and being told about the medicines required for a protracted recovery. The patient wondering how he picked up the illness in the first place is now longer the issue. The reality is that, like the patient, we as a country must worry about how we are to be treated and when we will recover. Dwelling on the history of how the problem arose will not do anything to resolve it.

Like everybody else in this Chamber, I deplore the reckless lending practices of our banks, the greed of some developers and the ineptitude of our bank regulators. Equally, however, we should all be big enough to admit that successive Governments made mistakes in promoting taxes which were based on the sale of houses. I hope the Opposition parties will acknowledge their demands in successive budgets for greater spending by the Government. Hindsight is wonderful. None of us would make mistakes if we could turn the clock back but the blame game will not get us anywhere and will not solve our problems. I think it is time to move on — I was disappointed by Deputy English's contribution — and to seek solutions to the country's problems. It is essential that all parties put forward their views and policies to deal with this crisis.

I welcome the editorials in some broadsheets over last weekend. Saturday's editorial in the *Irish Independent* was entitled "Time for unity not for petty squabbling". I certainly subscribe to that view. The *Sunday Independent* stated that "all parties must put the nation first" and I believe that is what is needed. In Saturday's edition of *The Irish Times*, Stephen Collins had

an article entitled “Four year plan an opportunity to cough up the truth”. I agree with that as well.

Whether one believes a new Tallaht strategy is the best option or whether one considers a general election more desirable, I feel that all parties must move on from the accusations and deliberate misinformation which is only causing further confusion and frustration among the general public. We need action not anger and as the Minister said recently, anger is not a policy.

It has annoyed me to hear on our airwaves economists offering contradictory opinions on Government strategy. The *Irish Independent* editorial last Saturday put it aptly when it described these commentators as “celebrity economists”, some of whom suggested we leave the eurozone and act like Iceland in reneging on our sovereign debt. Iceland today pays an 18% interest rate for its mortgages, compared to our mortgage rate of 4.5-5%. If we asked any Irish person with a house loan which rate they would prefer, I doubt they would choose the Icelandic rate. Many of us will remember paying 18% and more in the 1970s and 1980s for our home loans when Ireland was outside of the eurozone and tied to sterling. It was painful to pay 18% and we need to maintain ourselves in a stable currency and be part of the eurozone.

Time and again we have heard from these same commentators that the Government should have reneged on Anglo Irish Bank bondholders. They never admitted that most of the €80 billion deposited with the bank in September 2008 was owned by Irish credit unions, Irish pension funds, local authorities and by Irish small and medium business people. These commentators and some politicians are still saying that the money deposited by ordinary Irish people should have been let go down the Swanee. There would be a bigger public outcry from old age pensioners and small businesses if their savings were lost. At least we can pay off the Anglo Irish Bank loans over a period of time, but with a positive approach, we will deal with them.

It is time to acknowledge that Deputy Brian Lenihan, as Minister for Finance, has at all times spoken in a truthful honest, rational and realistic manner about our banking and economic issues, when compared to those economic commentators which the *Irish Independent* described as “deficient” in their grasp of the country’s economic problems and sovereign responsibilities. It is time to concentrate on seeking viable solutions and to remind ourselves that we overcame the deep recession in the 1970s and 1980s by taking positive action, not by engaging in perpetual moaning. We need to reflect on what changed the Irish people in the 1990s to become a confident, proud, modern and progressive nation compared to our previous insular and inward world view. I suggest it happened by adopting a positive attitude and I believe we can achieve greatness again by adopting such attitudes.

Let us look at the German people and see how they recovered from the defeat of two world wars to build themselves up to be the strongest nation in Europe, with the strongest economy and the most competitive manufacturing industries. We can build on our educated young work force to produce export orders, to increase our agricultural output and build on our tourist business.

We have the opportunity now to move on in a positive way to deal with our problems. We have a duty to show the way forward in an honest and constructive manner and to put our country first. I want to acknowledge the comments of some Fine Gael Senators in the Seanad last week. They were positive and they recognised that whoever is in government, constructive comments should be made. This is putting the country first. Even if a second Tallaht strategy does not emerge, Members should not be taking cheap political pot shots. We have had two years of that and it is time we moved on, grew up and recognised that we have major problems, so that we can deal with them constructively. It is not surprising that people will not spend

[Deputy Michael Kennedy.]

when all they hear is this constant gloom and doom. They read about it in the newspapers, they see it on their television screens and they hear it on their radios. Much of it is perpetuated in this House. It may have been okay years ago when the country did not have the same economic problems but we must recognise that spewing out gloom and doom day in, day out is doing nothing for the country.

In regard to the four-year strategy the Government will bring out in November and on which I sincerely hope the other parties are working, each party needs to demonstrate, as the Government will, how it plans to cut our budget deficit to meet the EU requirement of 3% by 2014. They need to explain how the current budget deficit of €19 billion will be resolved in the coming years because as long as our tax intake is €19 billion or €20 billion less than our spend of €50 billion, we will have a deficit problem with which to deal.

We need to hear from all the political parties, including my party, how we will deal with taxation issues, a reduction in services, the public sector and the Croke Park agreement, on which a number of parties had no comment good, bad or indifferent. The public expects to hear how each party proposes to deal with our unemployment figures and not just the theory that 100,000 jobs will be created under the NewERA plan or something else. We need to be specific, which is what the people expect of us.

We need to show the people our manufacturing industry has the ability to increase growth in exports. It is worth noting that our exports are now at 2007 levels which is quite remarkable given the world recession, not to mention our recessionary problems. We need to hear from each party how they will grow our economy. Our overall economic problems would be fixed by a combination of tax, cuts and boosting growth in our economy.

Deputy Ulick Burke: It is unusual to hear Deputy Kennedy say that.

Deputy Michael Kennedy: I am glad Deputy Burke has come along to listen to me. The people overseas who lend to us need to understand how Ireland will be maintained as a credit-worthy nation. They need to understand how we intend to fund our financial crisis. The Minister has indicated that he will put forward a Government plan showing our strategy over four years, how we intend to control our financial affairs and how we intend to retain the confidence of overseas lenders and investors.

I am sure no one in this Chamber wants the International Monetary Fund to come in and do the job for us. Let no one be in any doubt that it will come in. It has already gone in to Greece. For a couple of months, the Greek Government endeavoured to say that it did not have problems and that it would deal with things its way. The IMF went in——

Deputy Ulick Burke: Will the IMF come in before the next general election?

Deputy Michael Kennedy: ——and proposed a €60 billion cut in the Greek economy, which puts ours into perspective. From here on in, the onus is on us to put Ireland Inc first and to unite in the national interest. As was stated in the *Irish Independent* last Saturday, we must quit the party political and petty squabbling and give the country a bit of leadership.

Deputy Ulick Burke: It is not the first time it started that racket. Does Deputy Kennedy remember payback time?

Deputy Michael Kennedy: I refer to some comments Deputy English made. He spoke about the Minister for Finance not having the confidence of international investors or the Irish public.

The Fine Gael members might like to read opinion polls, although I suspect they might not want to read some of the results. I remind them that the majority of the people have confidence in the Minister for Finance and believe he knows what he is doing and is doing a good job.

After last Thursday's announcement, a number of commentators were complimentary of the Government and the recapitalisation programme. I mention Charlie Fell in Business in *The Irish Times* on 1 October 2010, Peter Straarup, chief executive of Danske Bank, Kevin Daly, senior economist with Goldman Sachs, and Patrick Honahan, whom we all know. Christine Lagarde, the French finance minister, said she trusted Ireland.

Deputy Ulick Burke: She must never have been here.

Deputy Michael Kennedy: I am just quoting what the lady said.

Deputy Ulick Burke: Does Deputy Kennedy believe it?

Deputy Michael Kennedy: I believe it because it is not the first time she said it. Olli Rehn, European Commissioner for Economic and Monetary Affairs, said Ireland's debts were manageable. I mention also Zoso Davies, a credit strategist with Barclay's Capital in Bloomberg Businessweek, Padhraic Garvey, head of investment in ING in Amsterdam, Anders Borg, the Swedish finance minister, Dan O'Brien, economics editor in *The Irish Times*, and Ian Huggard of Bloxham. I could go on but I suspect it would not make any difference to Deputy Burke's view.

It is time each of us grew up, accepted where we are at, endeavoured to resolve the issues collectively and accepted the financial parameters within which we must work in a truthful and responsible fashion. Whoever is in government in 2013, we will have achieved what we are setting out to do so that our debt is of manageable proportions.

Deputy Catherine Byrne: I would like to have time to comment on what Deputy Kennedy said but I will not. The only thing I will say to him is that people are frightened. Whatever money they have is a very small amount. They hope to keep it in their pockets or credit union accounts to ensure that if anything happens to a member of their family, they will be there to support them.

At the end of the day, it will not be the bankers who will get us out of this or anything that happens in this Chamber. It will be the ordinary people who start to buy the bottle of milk and loaf of bread in the local shop. That is what will put this country back on its feet.

Deputy Michael Kennedy: I agree.

Deputy Catherine Byrne: I do not have experience of the banking business nor am I an economist. I am a politician but also a housewife and someone who is reminded daily that one can only spend what is in one's purse and not a penny more. Unfortunately, the Government has not learned this small lesson that one can only spend what one has in one's purse and one cannot spend what does not belong to one. For many men and women——

Deputy Michael Kennedy: That is what we are doing. We are spending €20 billion more——

Deputy Catherine Byrne: I did not interrupt Deputy Kennedy. The men and women on the street realise this country is in a crisis and that the wave of greed which washed over this country during the Celtic tiger years has now crashed down around us. There is real anger on the street and people feel betrayed by the Government. With almost 500,000 unemployed and

[Deputy Catherine Byrne.]

rising emigration, people have a complete lack of faith in the Government being able to seriously address the economic crisis and make things better for everyone.

Those in government do not have a clue in terms of what is happening in the community. For them, it is business as usual. Every time I hear a statement from the Government my blood boils. It claims that it will not hit the weak and the vulnerable but I have a question for the Government. Who does it consider to be the weak and vulnerable in our country?

9 o'clock Is it the old age pensioners who cannot keep warm in their homes as they are afraid to turn up the heating because of the bills? Is it the blind from whom the Minister's Government took €8 last year? Is it people with a disability who had their disability allowance cut last year and who cannot access proper services due to cutbacks? Is it our special needs children who have seen the special needs assistants being taken away? Is it our young people, many of whom are walking the streets looking for work, standing in dole queues or planning to emigrate? Is it the many young people who bought property at hugely elevated prices and are now trapped in houses not worth even half the price they paid, with no possibility of ever moving on or moving back to their roots?

The Government has not helped any of those people. Instead, it has taken pity on the bankers and developers who made millions of euro in the boom and got huge bonuses for sitting behind shiny desks. They were responsible for the inflated property market and gambled with billions of euro of borrowed money — our money — but the bubble has burst. They have abandoned any responsibility, and they have not been held accountable for bringing this country to its knees. Instead, billions of taxpayers' hard earned money is being used to pay off their loans and send them into blissful retirement. That has caused a great deal of anger, and Deputy Kennedy should know that the anger will not go away any time soon.

Last week we listened in disbelief as the Minister for Finance announced that the State now has to sink €30 billion into Anglo Irish Bank, and for what? We will never see that money again. That was a bleak day for our county and a bleak day for our children. Fianna Fáil will leave behind a legacy that it will have to defend forever.

People have had enough, and they want to see those in power take responsibility for the huge mistakes that were made. We need to see real leadership on these issues, but I do not believe we will see it coming from the Government benches any time soon.

The property market boosted our economy from the late 1990s until 2006 but the banking crisis has had a hugely negative effect on the property market as well as on personal lending and lending to small businesses. Banks are very reluctant to approve even a small loan, making it very difficult for stand-alone businesses and small investments.

Across our cities and small towns and villages we see many local shops pulling down their shutters. Those small local businesses were the life and blood of our communities. They were the places we met on a regular basis and where communities were formed. Unfortunately, many of them have had to go out of business not through their own fault, but through the fault of a Government that could not run this country.

Thousands of young people are finding it difficult to pay their mortgages, and one in 20 mortgages is currently in arrears. What is even worse is that the number of repossessions and properties that have been surrendered to banks is also increasing at a worrying rate. We all sat in disbelief the night we watched two couples on "The Late Late Show" who had to hand back the keys to their houses. Our hearts went out to them. Where are they now and who cares about them? The answer is nobody, other than their families and friends who put them up because the Government took the keys of their homes from them.

Many people accept that there must be cuts in the upcoming budget but those cuts cannot be made at the expense of the vital front line services in areas such as health and education. Demands on social welfare systems are increasing by the day and the current bill stands at €21 billion. That is not sustainable. We must address the issue of unemployment head-on and create new opportunities for young people coming out of school and college. We must do likewise for all the people who want to return to the workplace having been made redundant.

The Government has broken the hearts of parents and grandparents throughout the country as their children's future has been decided by the mess it has made over the public finances. For many young people the long road to emigration has begun. I have stood in airports where people shedding tears in departure lounges has become a sad but common sight. Many of those talented young people will never again set foot on Irish soil to share their knowledge and experience. That is a sobering thought.

All our children — mine, the Minister's and those of everybody else in the country — are precious to us. It is in this country that they should live. They should not have to run to foreign shores. If this mess had not been made by the Government that has spent the longest term in office in this country, we would not be in this position, and the Minister would not have had to stand where he was last week to announce the cuts. Deputy Kennedy should know that people are angry, and that anger will not go away. I agree with him. People must pull together, but it will not be anybody in this House that will do that. It will be the people in the communities who will pull together and bring this country forward into the future.

Deputy Michael Kennedy: The Deputy should be showing leadership.

Deputy Ulick Burke: I thank Deputy Byrne for sharing her time with me. Deputy Kennedy was very selective in his contribution when he said that the people and the international financiers have confidence in the Minister for Finance, Deputy Lenihan. He must have forgotten that two years ago the Minister for Finance told us that the bank guarantee would have little or no effect on the economy. It has destroyed the economy and has been directly and indirectly responsible for job losses, emigration, businesses closing down and the stagnation and loss of confidence in our economy. He said the bailout was to be the cheapest in the world but 450,000 people have lost their jobs and become unemployed, and 100,000 well educated young people have left our shores and emigrated. Some of those young people will not return. It has turned out to be the most expensive in many different ways, second only to that of Iceland.

The Minister originally estimated that it would cost €1.5 billion and it then changed to €4 billion. By March last year it had risen to €12 billion. It then increased to €29 billion and last Thursday — black Thursday — it finished up at €34 billion, and it may increase again. That, together with the bailout of AIB, Bank of Ireland and Irish Nationwide Building Society, will probably increase the figure to €50 billion.

Earlier in the debate we spoke about small figures and the HSE cutbacks in health throughout the country. What would all of those billions of euro, or even a small portion of those billions, have meant to the many people who are lying on trolleys or the 40,000 people on waiting lists who are in pain and those whose cancer care is being denied to them as we speak? Have we forgotten about that? That is the reality.

Originally, the banking problem was one of liquidity, according to the Minister for Finance. It then turned out to be a solvency problem. We were told we had turned the corner in the budget last year. I do not know what corner the Minister for Finance was talking about but could he repeat that in about a month's time when he is delivering his new budget, the first of four?

[Deputy Ulick Burke.]

How could people have confidence in this Minister to lead us back into recovery, about which he spoke? He has been fooled by the bankers and poorly advised by Department of Finance officials. Those people were in place during the boom period and they failed, as did the Government, to see the dangers coming down the track. He has now resorted to accepting the proposals of Mr. Colm McCarthy, lock, stock and barrel.

The Government appears to have no policy in place to create jobs. It is the McCarthy cuts for us for the next four years.

Can the Minister of State provide us with a true picture of the state of finances in the Bank of Ireland? Can he truthfully tell the House and public that there are no difficulties in that bank and that we will not be asked later, when the other issues have been settled, to provide further funding for the Bank of Ireland to bail it out? It is important we know this now, particularly with Anglo Irish Bank gone off the horizon and the current situation with regard to Allied Irish Bank and Irish Nationwide. We need to know the true situation with regard to the Bank of Ireland.

The banks are failing to provide funding, even for small businesses which are the lifeblood of the economy at this time. When we agreed to bail out the banks, we were guaranteed that we were bailing them out in order to allow them provide funds and lend again. They were to lend to the people keeping the country going and small businesses that keep people employed. The Minister of State is aware that in towns like Ballinasloe, Roscommon and Athlone doors of once-thriving businesses on every street are locked and their blinds are down. This situation is replicated throughout the country, not just in the west. Somebody must take responsibility for this.

The Government and the Minister for Finance have failed to direct the banks to make funds available. Not long ago, we were told that significant funding was being provided for that, but nothing has happened. We were told that people refused loans by the banks could appeal to a review body. However, we could count on one hand how many refusals have been overturned by this body, which has been in place for almost 12 months. This body was to solve the difficulties in situations where people were refused finance and was to rectify the situation where they had been denied funds. It is important that the Minister for Finance re-examines the declarations he has made over the past two years and recognises that he has failed as Minister for Finance. I agree he inherited a difficult situation from his predecessor, the current Taoiseach.

Banks say they are currently approving loans. That may be the case but when business people seek a loan of, for example, €100,000, they are only granted €25,000. That is the type of approval that is being given and it is this type of approval that makes up the statistics on loan approvals which is broadcast by banks, particularly Bank of Ireland and Allied Irish Bank. They say they are lending, but businesses cannot take up these loans because they fall so short of their requirements. The required loans may not be for development but may be to help them maintain and continue their business until the tide turns. The Minister said that we turned the corner 12 months ago but it has proved to be a long turn for many business people. It is important that approval is given for the loans sought and that banking returns to what is expected of it by business people.

The tragedy of the current situation is that good business people who repaid their loans and invested money and borrowed and repaid again are being refused loans. These people borrowed and repaid many times, even at a time when interest rates were as high as 18% in the 1980s and early 1990s, in order to invest in and develop their businesses. They paid exorbitant interest rates at times but now all the banks want to do is call in their loans, reduce their

overdrafts and deny them such facilities. This indicates how out of touch with reality the Minister is with regard to the current situation.

The Minister must recognise that there are many people in the country with significant funds, people who invested wisely during the boom in safe havens. These people have withdrawn their funds and are now afraid to invest them in banks. The credit unions are the only outlets for many people currently and if it was not for them, many people would be in dire distress. People have lost their jobs but have been supported by credit unions which recognise their dire needs. This is because the credit unions are community based banks rather than profiteers or greedy moguls such as populated the national banks that have caused the trouble here.

All of this money is available to the Government, provided it brings forward a sensible proposal to use it, such as happened in the 1950s when we had the ESB national loan. At that time, the public who had money to invest and wanted to invest in a safe haven, loaned it to the Government which guaranteed it by government bonds which yielded in the region of 4%. I urge the Minister to realise that many people throughout the country have significant funds, particularly people who provided land for major infrastructure, such as roads, who received moneys from the NRA for their lands. That money is lying someplace but it is not safe. It is a pity the Government does not take the initiative and bring back the idea of a national loan and provide a dividend to investors after ten or 15 years. That should be done.

I wish to draw attention to the issue of the media, particularly the print media economists, who are perched here over our heads on a daily basis. They have all become economists, giving advice and criticising those who have not brought forward plans. Last Saturday we saw such comments from the editor of the *Irish Independent* — somebody mentioned the *Sunday Independent* in a similar vein earlier — in a front page editorial. It is unusual in journalism that the editorial comment would so openly support such comment, but I remember that on polling day in 1997, the editor had the audacity to call it payback day. What was that but a veiled support of Government, nothing more or less? Sir Anthony's puppets have continued with such comment ever since. We had it again last Saturday but there has been a change. I will cite one or two comments from the editorial and allow the House judge for itself.

The editorial states: "Day after day on the airwaves, we hear celebrity economists offering contradictory opinions on Government strategy". All Sir Anthony need do is open one of the newspapers in his group and he will see it. The editorial continued: "The Minister has consistently invited rational debate, but particularly on TV and radio, the debate is frequently distorted by commentators and interviewers who look and sound authoritative, but whose grasp of the country's economic problems, not to mention its sovereign responsibilities, is deficient". Where was this commentator when difficulties were brewing over the past four or five years? Can he look in the mirror and say he pretended to be authoritative on numerous occasions and he failed? Is it any wonder the Government is being misled when it had commentators like him pronouncing on the virtues of these people down the years? He can say it was on television but he should read the pages of his own writers, many of whom are perched above us every day.

Deputy Michael Finneran: There will be no need to resurrect *The Irish Press*.

Deputy Jimmy Devins: I welcome the opportunity to contribute on this important issue. Since last Thursday, the worry on everybody's mind relates to the future of the country. The country now faces the greatest challenge there has ever been. There has not been a greater threat since the foundation of the State. I do not say this lightly or for dramatic effect; I say it because I believe it implicitly. If this country was invaded by an enemy, there would be uproar

[Deputy Jimmy Devins.]

and resistance. The challenges we face constitute a danger to our sovereign State just as great as any such invasion and perhaps even greater because they are insidious.

Like many Members, I am not an economist nor do I possess special expertise in this area but like the vast majority of the Irish people, I understand figures and they speak for themselves. We need approximately €50 billion to run the country every year and we are currently taking in approximately €30 billion. Added to that is the cost of the bailout of the banks, a figure that fluctuates between €35 billion and €50 billion in total. If I take the lower figure, it means that this year the State has to come up with a financial plan to bridge a gap of between €50 billion and €55 billion. We do not have the money and, therefore, ways must be found to bridge that gap. Whatever solutions are arrived at, there will be suffering and hardship. It is important that the less well off are protected to the greatest extent. Any country that calls itself a democracy has to make sure certain public services, be they in the health or education sectors, are available to all people, not just the well off.

That view is shared by all Members and all of us have the best interests of the country and our constituents at heart. We have had enough of inter-party wrangling and squabbling. There will be time to debate the reasons we are in this dreadful position but let us deal with the position and get over this crisis. I will use a medical analogy. The current debate reminds me of a patient lying on a life support machine seriously ill while around the bed those charged with caring for him or her argue and fight among themselves. Unfortunately, that will only have one outcome. I warmly welcome the call by a number of Fine Gael Senators to put aside party political infighting just as I welcome the Taoiseach's offer to share the expertise available in the Department of Finance with Opposition Members. I appeal not only to the leaders of Opposition parties but to all Members to consider carefully where we are as a country before they reject what has been said by colleagues.

The country is in such a perilous state that it is close to death's door. We need to look and think outside the box. All Members have a duty and responsibility to stop bickering and fighting among themselves. Let us recognise the crisis we are in and, more important, let us all work together to come up with solutions that will restore our country. If that means forming a government of national unity, then let us consider that. Every Member has talent, intellect and experience of life. With all of us working together, there has to be a chance the country will get out of this crisis. It will be much more difficult and likely to fail if we continue to operate as we have in the past putting party and self before the national interest. We have a life threatening disease which is threatening to put our country, as a sovereign stable democracy, at death's door. Let us all please put aside our differences, which in normal times are good and healthy. However, we live in extraordinary and dangerous times and working together, we can, we will and we must come up with the solution.

Deputy Caoimhghín Ó Caoláin: I wish to share time with Deputy Costello.

I will read into the record the motion of no confidence in the Minister for Finance tabled by the four Sinn Féin Deputies:

“That the Dáil:

- expressing its serious concerns about revelations in the RTE Freefall documentary on 6 September, 2010 that Bank of Ireland Chairman, Mr. Richard Burrows and Chief Executive, Mr. Brian Goggin were informed by Anglo Irish Bank Chairman, Mr. Sean Fitzpatrick and Chief Executive, Mr. David Drumm, that Anglo Irish Bank was insolvent and requested a takeover of the bank;

- noting that immediately following this meeting Bank of Ireland management then contacted Allied Irish Bank and both banks immediately sought a meeting with the Minister for Finance, Deputy Brian Lenihan;
- further noting that following these meetings the Minister for Finance presented the Credit Institutions (Financial Support) Bill 2008 on 30 September, 2008 (the bank guarantee) claiming in the Dáil that the purpose of the bank guarantee was to deal with liquidity or cash flow issues within the Irish banking system;
- deploring the fact that the reality of the situation in Anglo Irish Bank was not revealed to the Dáil by the Minister for Finance before the passing of the bank guarantee;
- noting that due to the financial impact of the bank guarantee and the subsequent borrowing and the recapitalisation of the banks that the State's debt was being serviced at 6.8% in the week beginning 27 September, 2010, a record high since Ireland joined the eurozone; and
- noting that new estimates for the capital and recapitalisation costs of Anglo Irish Bank will reach €34.3 billion and that the total cost of the bank bailout will reach €49.3 billion;

has no confidence in the Minister for Finance, Deputy Brian Lenihan.”

On Thursday, 30 September, the Minister for Finance, in a country with an €18 billion deficit and almost 450,000 people unemployed, stood before the House and announced that the cost of recapitalising this State's wayward banks would run up to nearly €50 billion. In carefully coordinated statements over two days, he moved to extend the bank guarantee and then reveal the details of the largest recapitalisation plan, proportionately, in the western world. On that day, the deficit in this State increased from 12% to 32% as a result of the announcement. The Minister does not have the mandate to implement a bank bailout of this scale. The Government is at record lows of support from the public. The largest stakeholders in this decision, the taxpayers, have no faith in what this Government is doing and they are being denied a say. Over the next decade, banks will be recapitalised to the tune of €50 billion in taxpayers' money will be put into NAMA operations.

The events of recent weeks smack of increasing desperation by the Government. First, we had the farce of the announcement of Anglo Irish Bank being split into a bad bank and a worse bank, with conflicting statements issued on their operation. The Anglo Irish Bank split involves Anglo deposits funding Anglo loans, but with two banks instead of one. When it became clear that this was not a solution but a demonstration of the incompetence of Government banking policy, the markets reacted as was predictable — our ten-year bond yields jumped a further 0.1% to 6.9%.

The Government has been adamant that bond yields are high due to uncertainty around the banks, without taking responsibility for the continuation and deepening of that very uncertainty through causing the economy to contract. It is clearly not in the taxpayers' best interests but, then, very little of the Government's policy on the banking crisis has been. NAMA is well on the way to becoming an expensive toxic sister of Anglo Irish Bank rather than a well-balanced asset recovery vehicle as originally envisaged by the Government. It is also becoming part of the problem rather than the hyped solution.

It should be remembered that NAMA was meant to help rescue the banks and get credit flowing. We were assured that it would make a profit for the taxpayer without disrupting or distorting markets or bailing out developers. It is not achieving any of these objectives. It will

[Deputy Caoimhghín Ó Caoláin.]

be too late to prevent the transfer of tens of billions of euro from taxpayers to wealthy private individuals, some of whom are certain to be domestic.

The scale of the money being casually distributed by the Government to the banks is incomprehensible to most people. To put it into perspective, we endured an entire year of lectures last year from the same Government about the need to reduce the deficit in the December 2009 budget. It took €4 billion from people's wages, social welfare rates and public services. The Government plans to take another €3 million to €4 billion from the economy at the end of this year, yet last week it committed us to spending nearly €50 billion on bank recapitalisations. What the Government forgot to mention was that this did not even begin to cover the cost of NAMA. This banking bailout will hit the taxpayers to the tune of some €85 billion, most likely over the years ahead. This means that every year, as the Government reduces the deficit, it will be adding a few billion more onto it to meet commitments to the banks.

Fiscal retrenchment from Government will undermine growth. At this rate the economy will be running to stand still for the next ten years at least. To attempt to repair the damage of such a huge financial crisis and return the State's debt to its previous level in just a few years places an intolerable burden on ordinary people. This is self-evident to any elected representative in this House.

Sinn Féin does believe the deficit needs to be reduced. However, we differ from every other party in believing that there is a way to do this, based on economic growth and an overhaul of the tax system. Sinn Féin recognises that the deficit caused by the disastrous policies of the Government has to be reduced but the plan to reduce it by 2014 by imposing savage cuts to public services, will be hugely damaging. It will deflate the economy and worsen the recession. This plan will cause huge hardship by cutting vital public services and social supports in health, education and social welfare. We are against cuts to public services and social supports but we support eliminating wasteful public spending where it exists.

We need a different strategy and a longer timeframe. We want a realistic deficit reduction strategy based on a fairer tax system, investing in jobs, which will increase State revenue and reduce the social welfare bill and eliminating wasteful public spending. We believe a stimulus will reduce the deficit. We believe that the Government's front line spending cuts plan is not merely unfair but is failing to reduce the deficit in any meaningful way.

Fianna Fáil's approach to the economy is self-defeating. By focusing almost exclusively on bailing out the banks, the Government has lost sight of what is really important. It has so far refused to tackle a jobs crisis that continues to spiral out of control. They look to children, old people and the sick to try to plug the hole left in our public finances arising from a decade of risky, speculative and corrupt practices undertaken by Government, bankers and property developers.

This Government has always placed private profit before the public interest, property before people and the demands of the wealthy before the needs of ordinary citizens. That is the mentality that has led to the current economic catastrophe and it is the same mentality that is being brought into to the forthcoming budget. We need a new Minister for Finance, make no mistake about it and we need a new Government and, most important, we need a totally new direction and radically different politics. Those politics must bring new policies that must be based on sound principles, the very principles that we celebrated on 20 January 2009 in the Mansion House. They are in the words of the First Dáil's democratic programme which we celebrated on its 90th anniversary:

We declare that we desire our country to be ruled in accordance with the principles of Liberty, Equality and Justice for all, which alone can secure permanence of government in the willing adhesion of the people.

I rest my case and conclude by saying it is very regrettable there was not a motion tabled by which we could force the Government parties and their supporters within the Independents to go through the division lobbies. Statements simply do not meet the bill.

Deputy Joe Costello: Nearly one week later, the enormity of the bank bailout is staggering. Thursday certainly was a black day and it will be recognised in the future as black Thursday. That Anglo Irish Bank could require a bailout of between €29.4 billion and €34.4 billion boggles the mind. We seem to think only in billions now with regard to bailout and recapitalisation whereas in the past, figures had a real value. These figures now are multiples of billions. The total is close to €50 billion or may be more than this when it bottoms out, when we have a final figure for AIB, Anglo Irish Bank and Irish Nationwide Building Society. When this is combined with the annual deficit for this year of in the region of €80 billion, less tax take over expenditure, we are looking at an appalling vista.

This vista is facing every man, woman and child in this country. It was created by the greed, deception, fraud, lies, the corporate crime of the bankers, the financiers and by the lack of regulation, supervision or monitoring by those who should have been in charge. At the top is the Government which allowed light touch regulation or no regulation to continue over an extended period. Nobody called halt. The Minister of State's Government has been in power for the past 13 years yet it never cried for a slowdown. The mantra was a soft landing. There not could possibly have been a worse landing. There is no landing, it is a bottomless pit we have sunk into and we are not sure we have reached the bottom yet.

The ordinary people of Ireland question how nobody has been brought to justice or charged with an offence. This has been a colossal robbery of money from the people. Nobody has been arrested, not to talk about charged or convicted. This is one of the big scandals of this situation. It is bad enough to have all that money gone but nobody has been held responsible or accountable before the law. To the ordinary person it seems there is one law for the rich and another for the poor. People are angry and disgusted with this and it goes against people's innate sense of fairness. They feel frustration and helplessness and the Government does not realise this. Someone 100,000 people emigrated in the past two years and the USI stated that 100,000 qualified students are on the dole. The number of people on the live register has increased to 450,000 people. This is the human face of the bank bailout, the bank guarantee and the disastrous way financial institutions and the political masters handled the economy over recent years. We are facing this bleak future and the Minister for Finance has got it wrong from the first day. This was supposed to be the cheapest bailout in the world, in the exact words of the Minister, and at every stage there was to be a return. NAMA was to make a profit but that would be hard to see. We were supposed to get our money back but there is no question of getting our money back. More and more has been poured in. The Minister and Ireland should be in the Guinness Book of Records for the largest and most expensive bank bailout in the history of the world proportionate to our population and the size of the country.

We must look to the future when responding to this. We must try to create some hope for people. We must consider the picture in the context of what has been announced. Virtually all bets are off in terms of what was promised by the Government. The national development plan was designed for 2007-13 but it is gone out the window. Its replacement in July was the infrastructural development plan for 2010-16 and that is gone out the window. It referred to investment in every Department but we have no money to invest. Where will we get the money for investment? We recently discussed metro north, a matter I am considering carefully in the current economic environment. What projects in the national development plan can be brought forward on the basis of cost-benefit analysis of their delivery, economic activity and job creation? The major transport projects in Dublin include the Citywest line, the DART intercon-

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necter, metro west, the Luas BXD, the Lucan Luas and metro north. These are multibillion euro projects. We must pick and choose to ensure that serious capital projects costing an awful lot of money provide the best return. We must review the national development plan that was launched a number of months ago.

Dublin Bus must operate with a reduced public service obligation and with 100 fewer buses. Iarnród Éireann cannot afford carriages for an hourly service between Dublin and Belfast and the Minister for Transport is threatening to abolish the €15 million public service obligation for regional airports. This would destroy business and tourism connectivity throughout the regions, a point of which the Minister of State, Deputy Dara Calleary, should be aware. Such a sum could destroy connectivity, communications and tourism from the north west to the south. This also applies to billions of euro of other capital projects.

In this context, I am disappointed with Deputy James Reilly, deputy leader of Fine Gael, who fails to realise the reality heralded by Black Thursday when he attacks the Labour Party for exercising caution in this respect. Thankfully, his party leader, Deputy Enda Kenny in a major statement on 27 February 2009 recognised, like the Labour Party, that a blank cheque cannot be written for any project in the national development plan until the value of each project has been assessed in terms of job creation and downstream economic activity. In an article in *The Irish Times* he stated:

We will look at which infrastructure projects can be safely deferred or abandoned. That means that some projects, like the metro projects in Dublin, would be put on the backburner. We would scrap the old National Development Plan and reprioritise smaller, labour-intensive projects that can keep as many tradesmen and builders employed as possible.

I agree entirely with that. It is the position of the Labour Party and we are at one with it. It is about time the deputy leader of Fine Gael spoke to his leader so that they sing from the same hymn sheet.

Acting Chairman (Deputy Jan O'Sullivan): Deputy Costello's time has nearly concluded.

Deputy Bernard J. Durkan: I was so enjoying Deputy Costello's contribution.

Deputy Joe Costello: I am sure Deputy Durkan agrees with me on this matter. It is clear the Government is clueless, leaderless and floundering from crisis to crisis. The Government is well past its sell-by date and it is time to listen to Deputy Mary O'Rourke's suggestion to go to the country.

Deputy Bernard J. Durkan: I apologise for appearing in this state of undress before the House.

Acting Chairman (Deputy Jan O'Sullivan): Deputy Durkan looks very elegant.

Deputy Bernard J. Durkan: I assure the Acting Chairman I was otherwise engaged and had to leave in a hurry. We have gone over this issue several times in the past two years. Two years ago, there was a three-year recovery plan and figures of €4 billion and €3 billion were mentioned. Two years later, we have a new four-year plan.

Deputy Joe Costello: Starting now.

Deputy Bernard J. Durkan: That is the frightening thing the public is concerned about. The public relies on people to make judgment calls and this is what we have been talking about for

the past number of years. A judgment call needed to be made three years ago but was not made. The problem has been allowed to continue to such an extent that this country is at the mercy of the markets. That is the sad part of it. In order to recover, we are expected to pay interest rates of over 6.5% at the same time as a large proportion of our population is suffering from negative equity and mortgage arrears. In some cases one or both of the partners in the household are unemployed. If they are both employed, they have childminding costs that amount to €2,000 a month in some cases. That sum has dropped but it amounts to a mortgage in itself. We also have the potential threat of water charges, property taxes and a series of other charges. What is emerging is an accountant's view of how to balance the books but what is required is a judgment call to determine the extent to which the books can be balanced and society can withstand the negative impact. That is of great importance.

Let us consider some of what has come and gone in recent times. We know the figure we are talking about is approximately €50 billion. We presume this is correct. It has taken two years to arrive at this figure. In most other countries, such as Iceland and the United States, forensic auditors enter institutions and produce an initial report within four or five weeks, wrapping up within six months. They know where everything has gone wrong, they point to the guilty and action is taken. It is no solace to any of us to see people penalised for what was done wrong but things were done wrong. Unfortunately, the people of this country must pay for it. What would irritate me most of all would be to discover that someone had a swanky bank account in a far-off place. That would worry me and it would worry the people of this country. For the sake of society, I sincerely hope that it does not happen. I would like to know who are the bondholders to whom we owe so much at present.

Like Deputy Costello, I have been a member of the Joint Oireachtas Committee on European Affairs for some time. One of the things to which we have become alert is that within the European Community there are some countries that are not as committed as others. Some countries would love to see part of the eurozone break up. If any one country within the eurozone is put under such pressure to the extent that they are incapable of repaying their debts, or appear to be incapable, which is a different matter, then not only would there be problems for the country in question, but also for the entire European project. That would have serious consequences.

Two years ago the Government sought and had the power to put through the bank guarantee scheme. I was not happy about it at that time. I pointed out that there were several pivotal people who should have been asked to give information and to account for themselves before any such guarantee was given. I also pointed out that the pivotal people concerned were obviously acting according to Government policy so responsibility had to be taken. That is no offence to the Minister of State, Deputy Calleary, sitting opposite. He was not responsible for it. As a matter of fact he was only a lad at the time. He was not in the House when most of that was happening. However, there can be no escaping that someone knew what was going on and that it was decided somewhere in the system.

Now the problem is that everyone says all the politicians were to blame. I congratulate the Government parties. They got away with that one because now the odium has been passed on to all of us. An appalling thing has been done. Not only that but everyone is being blamed to the same extent as those who were directly responsible. It may be good and it may sound great that a man approached the Houses of Parliament a week ago with a concrete mixer. He was hailed as a hero because he crashed into the gates of the Houses of Parliament. It is obvious that he did not know that decisions are not made in Parliament. They are made by the Executive in Government Buildings. Someone should have told him the difference between Parliament and

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the Executive. I cannot understand how any adult can fail to grasp that distinction. I do not suggest he should have done that, but he could have walked up the street and protested at the bank to which it is alleged he owes a substantial amount of money. That is not what happened. What happened is that the location of the people's representatives — the Houses of Parliament — was attacked. That is a dangerous thing. If matters continue in that direction, this country will have much more serious problems within the next couple of years.

We now need to know who the famous bondholders are, both the primary and the secondary ones. I am sick of the jargon about subordinate bondholders and primary and first bondholders. We all know what it means — the first charge and the second charge, the high risk and the low risk and the short risk. We also know that one has options when one invests. One can take a high risk, high return option or one can take a low risk, low return option. Those options are open to investors everywhere, but for some unknown reason it is now expected that we, the people of this country — every man woman and child — will pay back for the high risk, high return option because it did not come off.

Many of my constituents go to the races on a regular basis. I must say this for them, they never come home from the races having lost their shirts and blame anyone else. They are philosophical about it. They know that when they place their money on the long odds that it could come up; it does occasionally and then we hear all about it. However, they also know that for every time it comes up, there are an awful lot of other times where it does not.

Deputy Joe Costello: They always keep another shirt for the rainy day.

Deputy Bernard J. Durkan: They do indeed.

Another issue I have examined with some cynicism is the degree to which experts attempt to suggest that the Members who are elected by the public are a crowd of idiots and that if the experts had been around those things would not have happened. I hasten to remind them that most of the problems we now have are as a result of people following expert opinion. As we all know the experts are available for consultation purposes. They are paid a fee. They are guns for hire. They will give virtually any expertise on the basis of the payment made. It depends what one asks for. The important thing we all need to know whether we are in Government, a Minister of State, or a Deputy is the basis for their conclusions. That is when they run into some difficulty.

I reject the notion that the cause of our problems has been the stupidity of the elected Members to the Houses of the National Parliament. Instead, I point to the number of times some of us had the temerity to raise those issues in the past ten years. We were told to clear off, that we did not know what we were talking about, that there were quicker and slicker ways and much more remunerative ways of doing it and that they would show us how. They did and now they know. I take no pleasure in the situation that is now emerging.

A large number of high-profile people in this country secretly lost their shirts and are very annoyed. I am sorry for them but they should not attempt to take it out on everyone else. They should not attempt to off-load the responsibility and guilt on everyone else. Suffice it to say that the more bitter they become, the more suspicious I become. They can continue along that road for as long as they like and the only result is that they will reap the whirlwind themselves. That is what history has taught us. We are all historians. We would not be here unless we had little knowledge of it.

The question is whether the people of this country will be able to pay back the €50 billion on the basis of the proposals put forward by the Government in recent days. My bet is that the answer is “No”. There are more and better ways to achieve the same objective without the same broad-based, scorched earth approach. I do not see how it is possible to raise the €50 billion and the €18 billion that is required to bridge the current deficit, which may increase further if the economy contracts, and at the same time to generate growth and employment in the economy. It cannot be done.

We have now imposed on the country the equivalent of compound interest. It has been imposed on businesses and mortgage holders throughout the country who have fallen into arrears. We advise our constituents on a regular basis that there are a number of fundamentals. If one needs to work oneself out of a debt problem, such as many people in this country now face, the most important thing is to find out one’s income and to calculate whether there is a possibility of working one’s way through the debt over a period of time. If, in the event that one’s income is insufficient — or in this case revenue — to do the job it is intended to do then one has to take other measures. One has to liquidate some of the assets. That is what we advise constituents to do. First, we approach the lending institution in question with an offer of a settlement. The alternative is to have compound interest applied. Every time an instalment is missed, it is multiplied and every three months the debt doubles. An extraordinary situation arises very quickly. Let us add to that the fact that this country is expected to borrow at the rate of 6.5%, which is approximately 4% higher than the other economies in Europe.

Debate adjourned.

Adjournment Debate

Infectious Disease Screening Service

Deputy Deirdre Clune: I am glad to have the opportunity to raise this issue and to get a response from the Government on possible changes to TB services, particularly in the Cork region and particularly in regard to screening and the administration of the BCG vaccine. I raise this issue because towards the end of August there was an outbreak of TB at Crab Lane national school, Ballintemple, which resulted in the return to school being postponed for a week while the HSE notified parents, children and staff. There are 220 children in the school and the HSE initiated a screening process, the end result of which was that 31 pupils and three staff tested positive for latent TB and six pupils tested positive for active TB. Anyone who knows someone who has been diagnosed with TB in even its latent form will know it requires a dose of antibiotics for a minimum of six months, and we are talking about children in this case.

This is the second outbreak in Cork in recent history. In 2008 there were two outbreaks in crèches when 15 children and two adults were affected, and hundreds of children required X-rays and antibiotics.

While I have never received a definitive answer as to whether it was a policy decision based on prevention or for a financial reason, the administration of BCG vaccines to newborn children was discontinued in the 1970s. My children, many children of their age and many children currently of school-going age did not receive the BCG vaccine as a routine act when they were infants. In 2008, however, the BCG vaccine was reintroduced and the result is that we now have lengthy waiting lists. I have asked the Minister, Deputy Harney, in regard to the number of children awaiting the BCG vaccine, which is provided to newborns in the maternity hospital

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at present, and she has forwarded the question to the HSE. The figures for the Cork region are above average. Does the Minister believe this is because the BCG vaccine was not available?

There is also the issue of whether the screening process should be extended. Revised guidelines which recommended the extension of screening were proposed to the HSE. I would like to hear from the Minister of State whether there is any intention to revise and expand the screening process. The chief medical officer has requested that the HSE would provide information to him regarding the routine administration of the BCG vaccine.

There is concern among parents, not just those of children in this school and their community but in the wider Cork community, that TB services have not been up to the same standard provided throughout the rest of the country. A consultant, Dr. Cathal Bredin, was quoted in the media as stating he believed there were still hidden reservoirs of TB in the Cork region which would account for the kind of sudden outbreak that occurred in August. I wish to express the concern of parents and the community in Cork that services would be provided to prevent TB outbreaks and to ensure that children are immunised against TB. The BCG vaccine has proven effective against 70% to 80% of TB strains, so it is very important. It is also national immunisation policy that the vaccination would be provided as a matter of course.

There was no recent outbreak of TB prior to 2008. I would like the Minister of State to address that issue and also the issue of whether screening for TB is to be extended.

Minister of State at the Department of the Taoiseach (Deputy Dara Calleary): I am taking the Adjournment on behalf of the Minister for Health and Children, Deputy Harney. I thank Deputy Clune for raising this matter as it provides an opportunity to outline to the House a number of issues in this area.

As the House is aware, TB remains a significant cause of morbidity and mortality worldwide. An estimated 9.3 million new cases were reported in 2007, of which 7.8 million were detected in Asia and Africa. The first national survey of TB in Ireland in 1952 gave a notification rate of 230 cases per 100,000 population. A downward trend was sustained until 2001, with a rate of 9.7 per 100,000 population, after which cases remained stable with minor fluctuations in annual figures thereafter.

The National Immunisation Advisory Committee recommends that BCG for newborns be continued. The Deputy will be aware that in Cork for a number of years the BCG vaccine was offered to newborns who were at risk of developing TB, namely, babies whose parents or siblings have a history of TB, whose parents work in a health care setting with patients affected by TB, whose parents come from countries where there is a high incidence of TB and children intending to visit high incidence countries for more than one month. The BCG vaccine was also given to the child contacts of confirmed TB cases.

In recent years, the practice in Cork was reviewed and a commitment was given by HSE South that all newborn babies in Cork would, from October 2007, be routinely offered the BCG vaccine against TB. Due to the increase in demand for BCG vaccination in 2007, HSE South as an interim measure ran a number of additional clinics during the summer period. In parallel with this interim measure, plans had been put in place in regard to the commencement of offering routine neo-natal BCG vaccinations in conjunction with Cork University Maternity Hospital.

A difficulty with the supply of vaccine in Ireland and across Europe emerged in October 2007. The supply shortage was due to technical difficulties at the manufacturer's laboratory and resulted in a European-wide shortage of this vaccine. This manufacturer was the only company which supplied the vaccine to the European market. While some vaccine was in stock, the shortage in supply meant that clinics were not held in HSE South during November or

December of 2007. The issue was subsequently resolved in April and May of 2008 and the supply of vaccine recommenced in the Irish market.

On 13 October 2008, the HSE proceeded with the commencement of the neo-natal BCG programme in Cork University Maternity Hospital. Protocols with regard to the availability of information leaflets and the issuing of consent forms have been agreed with Cork University Maternity Hospital staff. This has enabled the HSE to introduce a BCG vaccination programme as a routine measure to newborn babies whose parents request it. In addition to the above clinics, the HSE will continue to provide vaccinations to deal with older children on a priority basis.

The Minister is very concerned about the recent outbreak of TB in the HSE South area. The HSE established an outbreak control team to manage the situation in accordance with the guidance report of the National Immunisation Advisory Committee. Cases of active and latent TB found have been referred for appropriate treatment and follow-up care. All involved with the school have been reassured that, first, the children with active TB are on treatment and are not currently infectious; second, children or staff with latent TB infection are not infectious and, third, other children or staff are not at risk from contact with either the cases of active TB or of latent TB.

In order to assess the position fully, the chief medical officer of the Department of Health and Children immediately requested the HSE to provide clarification and information regarding the routine administration of BCG in all regions of the country. It also requested it to identify areas where this is not the case and specify what arrangements are being made to deliver these services with a timescale for implementation. The HSE has also been requested to plan for the undertaking of an ongoing audit of the delivery of BCG and TB services throughout the country.

Health Services

Deputy Joe Costello: That a budget should introduce a 50 cent levy on every item prescribed for medical card holders is the unkindest cut of all. The danger is not the quantity of money involved, but the category of patient covered. Many of the people who fall into such categories could easily find their situations deteriorating because of the bureaucratic process envisaged in the system. This provision covers a range of seriously ill, mentally ill and physically challenged people, including the terminally ill, those in nursing homes, recovering addicts, people in receipt of palliative care, diabetics, old age pensioners, Alzheimer's sufferers, the homeless and so on.

The category about which I am especially concerned is psychiatric patients. Clearly, this is an erratic category and such patients find dealing with change difficult. The greater burden of requirement placed on them by the new system will make ensuring they get and take their medicine more difficult. The idea that psychiatric patients must attend a general practitioner before a chemist seems outrageous. It inserts an extra layer of bureaucracy and is an obstacle to them. Apparently, the reason is that the GP must put a description on itemised General Medical Services, GMS, scheme paper. This is done for the purpose of dealing with the matter officially. I see no reason to bring the GP into the scenario. Why could this not be done in the chemist? There is no such thing as a standard, but going to the chemist is part and parcel of the well-worn path towards getting medicine to which mentally challenged patients are used. Sticking the GP in the middle of the process means many patients will not do it. Add to this the burden of a 50 cent levy and they will be confused and frustrated. Obstacles are being placed in their way. The danger is that many people who are seriously psychiatrically challenged will not take their medicine. This will also be the case with homeless people, alcoholics and drug addicts. Many categories of people will find taking the extra steps prescribed by the 50 cent levy difficult.

[Deputy Joe Costello.]

The Minister is expecting to get €25 million out of the levy and there is a cap of €10, but more than €25 million will accrue because there are many prescriptions being handed out that should not be. I am most concerned about the layer of bureaucracy being placed in front of medical card holders. Will the Minister review the levy to determine whether people could avoid the extra visit to the GP and whether the levy is appropriate to people who have difficulty dealing with the basics of getting their medicine without needing to jump through hoops?

Many carers were involved in the GMS scheme but no one who applies for carer's allowance will get the scheme. The caring side is deteriorating, as are the respite care and home help sides. The level of support is reducing constantly. We will find that people will not be able to meet the requirements and this will have serious implications for their health. Will the Minister of State review the 50 cent levy, particularly in respect of the categories to which I referred?

Deputy Dara Calleary: As the House knows, the Minister has introduced a prescription charge of 50 cent for prescribed items dispensed to medical card holders subject to no person or family paying more than €10 per month. The prescription charge seeks to influence demand and prescribing patterns in the GMS scheme in a modest way. Prescription charges do not apply to children in the care of the HSE who have their own medical card, to the long-term illness or drugs payment scheme, to those who receive services under the Health (Amendment) Act 1996 or to methadone supplied to patients participating in the methadone treatment scheme.

Approximately 1.6 million people have medical cards. HSE data for 2008 indicate that only 2% of families with a medical card had 20 or more items per month prescribed to them. Therefore, the Minister expects that only a small minority of families with a medical card will need to pay the €10 per month maximum charge.

Prescription charges are part of a set of key actions to achieve greater value for money in pharmaceutical expenditure. These include off-patent price cuts, reductions in wholesale and retail mark-ups that have been introduced and the preparation of legislation on reference pricing and generic substitution, which is under way.

The cost of the GMS scheme, including payments to pharmacists and GPs, is projected to be more than €2 billion in 2010. The number of items dispensed to medical card holders increased between 2004 and 2009 by more than 15 million to slightly more than 50 million items. This rate of increase, an average of 12.5% each year over six years, in the cost of supplying drugs and medicines is not sustainable. Based on trends in previous years, it is expected that the prescription charges will yield €24 million in a full year or approximately €2 million per month. Every saving achieved by the HSE will reduce pressure on funding for front-line services, including hospitals, home help and home care packages and mental health and services for people with disabilities and their families. It is important in our current financial situation that we take every step possible to provide public services efficiently, limit costs to the greatest extent possible and involve the users of resources in understanding better the value of those resources and their appropriate use. The Minister has committed to keeping the implementation and impact of the charges under constant review. I will refer the Deputy's specific concerns regarding psychiatric patients to her for a direct response.

State Airports

Deputy Timmy Dooley: I thank the Acting Chairman for the opportunity to share time with Deputy Joe Carey. I also welcome the opportunity to contribute to this debate. Shannon Airport is a vital cog in the infrastructure of County Clare, the mid-west and west. It has provided employment for many families throughout the region and created the conditions for the development of the Shannon free zone as a base of foreign investment that has created and

retained many jobs in Shannon, Limerick, Galway, Ennis and further afield. Shannon Airport has opened the region to tourism, which created jobs and allowed people to find gainful employment in many rural communities. In particular, it has protected employment in villages and our county's population.

Shannon has faced many challenges in its long history. Aviation has changed and so has the airport. It now faces a new challenge brought about by the recession. Passenger numbers have dropped to 1999 levels to approximately 1.7 million. In 2006 and 2007, Ryanair services drove passenger numbers above 3 million, much of it based on Irish people travelling abroad. Routes have been cut, impacting tourism and business interests in the region.

Taking everything into account, I am not sure whether the response from the Shannon Airport board to increase charges was the best option. We need fresh thinking. We must address the situation rapidly if we are to protect what we have built up. There are governance issues at Shannon and Cork. Airport separation as outlined in the State Airports Act 2004 has not occurred. I never believed in the plan and it was not to the benefit of the airports. Shannon Airport needs more autonomy. It must be in control of its own business plan and asset base. It must be able to compete effectively with Dublin and Cork while relying on subvention from Dublin. It cannot be viewed in terms of profits and losses. It is key infrastructure — not a corner shop. We need a sustainable business plan that is not plot driven. The Shannon Airport Authority has much to do in this regard.

The 2004 Airports Act has not worked and was a mistake. Shannon Airport is in a worse position than it was under the Aer Rianta structure. We must accept this mistake and move on. Shannon has a board that has neither assets nor power. We need change and we need it quickly. Shannon Airport will need ongoing support and subvention if it is to provide a centre for growth and balanced regional development in tourism and business activity. The solution is based on taking Shannon Airport from the perceived stranglehold of the DAA, keeping it in State ownership and giving day to day responsibility to the Shannon Airport Authority. We can do this with the establishment of an umbrella organisation that has supervisory control over the three airports and the capacity to ensure that Shannon Airport receives the kind of ongoing support which is such a vital part of its future.

Deputy Joe Carey: The present business model as operated by the Dublin Airport Authority is sucking the life out of Shannon Airport. We have witnessed a sharp decline in passenger numbers, airline carriers and destinations available through the airport. Ryanair, which once accounted for 1.9 million passengers and offered 53 routes, now bases just a single aircraft in Shannon Airport. Aer Lingus has withdrawn all its transatlantic flights for January, February and March of next year. The empty car-park and lack of activity at Shannon Airport highlights the low political priority given to the airport by successive Fianna Fáil Governments. There is a sense of utter hopelessness among business people, tourism interests, job creators, airport workers and the general population in County Clare. In response to this crisis the sole initiative of the Shannon Airport Authority in conjunction with the DAA has been to increase its airport charges. To add insult to injury, the only action offered by Government was to impose a €10 travel tax on passengers.

What Shannon Airport offers to the mid west and the western seaboard from an economic point of view in terms of jobs, connectivity for companies and a gateway to the west of Ireland is in real danger of being totally eroded unless a new model of governance is created. That the DAA continues to call the shots on Shannon Airport is no longer sustainable. We need a new beginning, a fresh start with a new business model. Any new structures will need to have adequate resources and strong political and financial support from Government.

The initial major challenge for any new airport authority is to put in place a five-year plan with realistic growth expectations. It also needs to engage with all current carriers who utilise

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the airport, including Ryanair. Any European airport would welcome such an airline yet Ryanair claims that it has been hindered repeatedly in its development at Shannon Airport because of Government-DAA policy. The challenge for the present Government and any new administration will be to respond to the needs of any such new authority and to reasonable requirements from carriers which want to do business in Shannon.

For an island nation it is a fallacy to tax people who want to travel here. This fallacy should be comfortably exchanged for increased employment and the knock-on revenue and taxes that could be generated from such passengers. The dead hand of the DAA must be removed from Shannon Airport before it is too late.

Minister of State at the Department of Agriculture, Fisheries and Food (Deputy Seán Connick): The State Airports Act 2004 provides for the separation of Cork and Shannon Airports into independent autonomous airports and Dublin, Cork and Shannon airport authorities submitted business plans on this objective in 2008. Following consideration of these plans and the recommendations of the boards of the three airport authorities, in late 2008 the Minister announced the deferral until 2011 of a decision on the separation of the airports given the current very difficult circumstances in the aviation sector. In the meantime, new governance arrangements were agreed by the boards and have since been put in place. The new arrangements provide for appropriate delegation of responsibility for the management and promotion of the airports, subject to the necessary accountability to the DAA board in respect of annual budgets, airport charges policy and capital expenditure. The arrangements also provide for reciprocal membership of the boards of the Dublin Airport Authority, DAA, the Cork Airport Authority, CAA, and the Shannon Airport Authority, SAA, whereby the chairman of the CAA and SAA are members of the DAA board and the DAA has a senior executive nominee on the boards of the CAA and SAA.

In recent years, passenger traffic at Shannon Airport has fallen significantly. In 2009 it totalled just under 2.8 million, a reduction of 12% on 2008. Most medium-sized European airports reported a reduction in passenger numbers of between 10% and 20% in 2009 owing to the economic downturn and its effect on airline travel. In 2009 Ryanair stated that it was unwilling to provide the level of services agreed under a five-year arrangement with the Shannon Airport Authority. As a result it withdrew a number of its aircraft and routes from Shannon which directly led to the loss of approximately 600,000 passengers in 2009. That loss was partly offset by the restoration of the London Heathrow service by Aer Lingus.

However, the full annual impact of the reduction in Ryanair services has only begun to be seen in 2010. In addition, traffic this year has been adversely impacted by generally weak demand resulting from the prevailing economic conditions worldwide and by exceptional circumstances such as the volcanic ash disruption. On an ongoing basis, the airport management is in discussions with airlines to encourage the introduction of new services from Shannon. Already this year, services to four UK cities were introduced from July 2010 by the Aer Lingus regional-Aer Arann franchise. Marketing efforts are continuing with a number of airlines on other short haul routes.

In addition I expect both the DAA and the Shannon Airport Authority to exploit the opportunities available with the US preclearance facility at Shannon to increase passenger traffic through Shannon Airport. Currently, Shannon Airport is the only airport in the world outside the Americas which offers full preclearance services. US preclearance has the potential to deliver significant new business for Shannon Airport.

Afforestation Programme

Deputy Andrew Doyle: Deputy Carey mentioned the five-year plan which is necessary in any kind of industry especially in one such as forestry. I tried to bring this matter into focus

and to the attention of the Government because the planting season and the preparation for 2011 starts now for many in the forestry sector. It begins in the nursery where over the past three years more than 60 million seedlings have been nurtured and prepared.

The commitment in the current programme for Government envisaged 10,000 hectares of afforestation per year or 17% cover by 2030. I keep that in mind and in good faith, having seen it referred to at least twice in the 2020 Vision document in which forestry was depicted as paying a key role in greenhouse gas mitigation and biomass and biofuel production. It is also a primary source of supply to the construction industry and other sectors by way of saw logs and saw mills. Forestry probably employs 6,000 people directly.

The Forestry Bill states its aim as follows: “To reform and update the legislative framework relating to forestry in order to support the development of a modern forestry sector which enshrines the principles of sustainable forestry management and protection of the environment.” Given all that, one would think the forestry sector had nothing to worry about but instead there is uncertainty. Between now and 2016 the capital investment programme actually cuts forestry to a level where 2,000 hectares per annum is considered to be a realistic amount with the level of funding that can be achieved.

I hate to use the term “no-brainer” but this is the case. The forestry sector has a critical role to play. It drives and supports an entire industry. It is not something that can be turned around in a year or two years. If we do not plan now we will pay the price in 15, 20 or 25 years time. If we have to start to import raw material for own industry, this will have a negative impact on our balance of payments, as opposed to exporting it. We will be paying for greenhouse gas carbon emissions. It is estimated that the programme for Government target of 10,000 hectares would actually save the State some €46 million a year. If 6,000 people are put on the unemployment register, by 2020 that would amount to about €12 million, so this is the level of cost benefit to be achieved.

However, cost benefit analysis shows that for every euro spent on forestry there is a yield of €1.59 back to the State. This proves that when we are looking for value for money in the context of limited resources we have to target areas that give a better yield and show a return down the line. One has to speculate to accumulate and we have to invest wisely.

Of all the sectors this is crucial, and should be of particular interest to the Green Party members. This was one of their trophy successes in last year’s renewed programme for Government, and yet while it received a good soundbite at the time, it seems to have merited token gesture status since. The summer was taken up with the introduction of legislation to ban stag hunting. I might have comments to make regarding horse welfare, etc., that seem to have been neglected but that is a matter for another night.

I cannot overemphasise the urgency with which this issue needs to be addressed by the Minister of State. I know he is not long in the job but I ask him to bring this back to Government. It embraces many contexts and even Commissioner Dacian Ciolos last Friday alluded to the fact that in the revised CAP, forestry could be part of the rural development programme, Pillar 2, which allows some co-funding of the obligations. If the carbon offsets we could attain are factored in, then perhaps that could represent our co-funding obligations. We could drive on an industry, it would create jobs, as already justified under serious cost benefit analysis. What is more, the benefits would disperse into rural communities around the country, with the money staying local and keeping those communities sustainable as well.

I urge the Minister of State to bring this to attention of the Cabinet.

Deputy Seán Connick: I thank Deputy Doyle for raising this matter as it gives me the opportunity to address concerns about the future funding for forestry and to reiterate the Government’s commitment to forestry in Ireland.

[Deputy Seán Connick.]

I am well aware of the national importance of investment in forestry. Since 2000, the State has invested €1.25 billion in forestry enabling the development of an industry that now plays a significant role in the export market to Britain. The investment in forestry represents a substantial share of the agricultural budget reflecting the Government's commitment to and recognition of this important indigenous industry. I have met with a number of representative bodies, all of which have briefed me on the issues and concerns in their sector of the industry.

The benefits of the Government's investment in forestry is not confined to industry. We have also enjoyed significant benefits in terms of the provision of a source of renewable energy, the essential contribution that forestry makes to carbon sequestration in furtherance of the national climate change strategy. Benefits have also been derived from income derived from tourism associated with the use of forestry recreational amenities.

The primary objective of the forestry programme is to increase the level of afforestation in Ireland, which is among the lowest in Europe, in order to continue to derive all of these benefits from the natural resource. The Government is committed to ensuring the continuation of the afforestation programme at a rate that maximises the use of available financial resources.

The renewed programme for Government commits to an increase in the annual planting of 10,000 hectares per annum. In order to make progress towards that objective, provision was made in 2010 for 7,000 hectares of new planting and I am glad to say that this target is on course to be met.

Forestry premiums, paid in recognition of the creation of a long-term asset which provides major benefits beyond its immediate hinterland, account for over €73 million this year. As the Deputy will appreciate, forestry premium payments are a substantial commitment being carried forward each year and account for a large proportion of the eventual allocation.

A review of State forestry policy, also provided for in the renewed programme for Government, is currently being undertaken, part of which is assessing the effectiveness of current forestry grant schemes. This review will make recommendations on how best to deliver supports in the future. While the afforestation programme is an important component of the forestry programme, we also have to bear in mind the ongoing management of the existing forestry resource.

Concern has been expressed to me by farming and industry sources about the adequacy of the capital allocation of €89 million for the forestry programme in Capital Review — Infrastructure Investment Priorities 2010-2016, published in the summer. As part of the Estimates process, my Department will be reviewing its available capital resources, which are capped at €350 million for 2011, to ensure that priority needs and commitments are met.

I can assure the Deputy that I am fully aware of the need to maximise funding for forestry in what we all know are exceptionally difficult times for the public finances. I will be making every effort on behalf of the forestry industry to get a fair share of the limited resources available.

The Dáil adjourned at 10.40 p.m. until 10.30 a.m. on Wednesday, 6 October 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 5, inclusive, answered orally.

Questions Nos. 6 and 7 resubmitted.

Questions Nos. 8 to 15, inclusive, answered orally.

Health Services

16. **Deputy Joan Burton** asked the Minister for Health and Children the waiting times for orthodontic treatment for children in each of the Health Service Executive regions; and if she will make a statement on the matter. [34670/10]

Minister for Health and Children (Deputy Mary Harney): Waiting times for orthodontic assessment and treatment vary across the country and within the HSE regions. In the Dublin Mid Leinster region, average waiting times for assessment range from 3 months to 12 months. The corresponding range for the Dublin North East region is from 2.5 months to 10 months. In the South the range is from 4 months to 12 months. In the West the range is from 6 months to 36 months. In the Dublin Mid Leinster region average waiting times for treatment range from 6 months to 36 months. The corresponding range for the Dublin North East region is from 12 months to 48 months. In the South the range is from 24 months to 42 months. In the West the range is from 10 months to 36 months. A more detailed breakdown of these figures is available and I will make it available to the Deputy.

Access to treatment is determined by clinical need. Waiting times for patients with greatest needs are generally shorter than the average. It should be noted that the nature of orthodontic care means that immediate treatment is not always desirable as it is often necessary to wait for further growth to take place before treatment commences.

Question No. 17 answered with Question No. 15.

Nursing Homes Support Scheme

18. **Deputy Billy Timmins** asked the Minister for Health and Children the number of applications received under the fair deal scheme to date in 2010; the number of applications that

[Deputy Billy Timmins.]

have been processed to date in 2010; the average time it takes to process an application; the total number of applications refused support through the fair deal. [34769/10]

87. **Deputy Mary Upton** asked the Minister for Health and Children the amount of funding allocated under the fair deal scheme per county; and if she will make a statement on the matter. [34669/10]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): I propose to take Questions Nos. 18 and 87 together.

The Nursing Homes Support Scheme commenced on the 27th October 2009. The HSE received over 15,500 applications for the scheme between its commencement and the 10th September. Of these, almost 11,300 have been approved and applications continue to be processed on a daily basis. Approximately 150 applications have been refused on the basis that the applicant was deemed not to require long-term residential care or that the applicant's contribution to care exceeded the cost of care.

The average length of time to process an application varies depending on whether the application is for State support only, or for State support and the Nursing Home Loan. It also depends on the complexity of the case. The HSE has indicated that a significant volume of applications are submitted without the necessary supporting documentation. This can create delays which are outside of the HSE's control. However, once fully complete and in order, applications are processed within 1-2 weeks. Following approval for an application, the HSE immediately arranges for payment of financial support on the applicant's behalf to their chosen nursing home.

Deputy Upton has asked about the level of funding allocated per county. Under the scheme, funding is not allocated per County. The scheme supports individuals in need of long-term nursing home care, not the facilities providing the care. This means that funding follows the patients and ensures that facilities are not being funded for empty beds. A dedicated subhead has been established for the purposes of the scheme (subhead B12 in Vote 40 refers). This is managed centrally within the HSE and funding is allocated to qualifying individuals on a 'first come, first served' basis. It should also be noted that, in qualifying for support under the scheme, a person undergoes the same standardised care needs and means assessment regardless of where they live.

The means assessment calculates each person's contribution towards their care based on ability to pay. A person's contribution to care is worked out based on 80% of their assessable income and 5% of the value of their assets per annum. The State then meets the full balance of the cost of care. The first €36,000 of a person's assets, or €72,000 in the case of a couple, is not included at all in the assessment, while a person's principal residence is only included for the first three years of their time in care. An additional €97 million was provided for the Nursing Homes Support Scheme in Budget 2010. The additional funding brings the total budget for long-term residential care in 2010 to €979 million. This is effectively the budget for the Nursing Homes Support Scheme albeit that transitional arrangements must also be facilitated from within the subhead, i.e. people in contract beds or people who choose to remain on subvention.

Assisted Human Reproduction

19. **Deputy Emmet Stagg** asked the Minister for Health and Children the number of patients currently receiving IVF treatment through the Health Service Executive; the average cost involved per patient; and if she will make a statement on the matter. [34698/10]

Minister for Health and Children (Deputy Mary Harney): IVF treatment is not provided or funded by the public health system. Patients who access IVF treatment privately may claim tax relief on the costs involved under the tax relief for medical expenses scheme. In addition, a defined list of fertility medicines needed for fertility treatment is covered under the High Tech Scheme administered by the Health Service Executive. Medicines covered by the High Tech Scheme must be prescribed by a consultant/specialist and approved by HSE 'High Tech Liaison Officers'. The cost of the medicines is then covered, as appropriate, under the Medical Card or Drug Payment Scheme. I am conscious of the financial burden that IVF treatment can place on the couples concerned and I have asked my officials to consider policy options in this regard as part of the process of developing an appropriate regulatory framework for this area.

Health Services

20. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children if her Department is carrying out an evaluation of the effects on dental health of cutbacks to the dental treatment services scheme and the dental treatment benefit scheme; and if she will make a statement on the matter. [34708/10]

Minister for Health and Children (Deputy Mary Harney): My Department and the HSE are monitoring the effects of changes to the Dental Treatment Services Scheme. Responsibility for the Dental Treatment Benefit Scheme, which provides dental services to insured people, rests with my colleague, the Minister for Social Protection. The Government's decision to limit the funding available to the Dental Treatment Services Scheme (DTSS) was made in view of the current position of the public finances. In consequence, the HSE introduced measures to contain DTSS expenditure at the 2008 level of approximately €63 million. Under the new measures the range of treatments available are being prioritised for adult medical card holders. The HSE will ensure that high risk groups and patients with greatest needs are prioritised. The HSE will continue to engage with dental professionals to ensure clarity and consistency in implementing these changes.

Health Service Funding

21. **Deputy Pat Breen** asked the Minister for Health and Children the position regarding the deficit in the Health Service Executive west; the action being taken to address this deficit; if she will give a commitment that cost savings measures in Health Service Executive west will not affect front-line patient services; and if she will make a statement on the matter. [34719/10]

32. **Deputy Joe Carey** asked the Minister for Health and Children the position regarding the scale of the budget deficit in health in the four Health Service Executive areas; if she will provide a breakdown of the deficit per hospital; and if she will make a statement on the matter. [34725/10]

58. **Deputy Richard Bruton** asked the Minister for Health and Children the position regarding the scale of the budget deficit in health in the four Health Service Executive areas; the action being taken to address the deficit; if this action will include bed or theatre closures; the location of these closures; and if she will make a statement on the matter. [34721/10]

82. **Deputy Seán Sherlock** asked the Minister for Health and Children the financial state of hospitals nationwide; the number that will overspend their allocated budgets; and if she will make a statement on the matter. [34693/10]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 21, 32, 58 and 82 together.

[Deputy Mary Harney.]

The Revised Estimates for 2010 allocated €14.6 billion for the HSE. In setting the Estimates, the Government took difficult but necessary decisions to secure the economy and stabilise the national finances. In its National Service Plan, the HSE committed to achieving greater efficiencies while maintaining services at 2009 levels. At the end of August the HSE is reporting a deficit of €108m in the hospital sector along with a €28m deficit in community services. The results for the individual regions at the end of August are being provided in tabular form to the House. These are interim figures which are still subject to validation. The HSE is also forecasting lower than expected expenditure in areas such as demand led schemes, H1N1 vaccination costs and some national programmes.

The actions being taken by the HSE in all regions are focused on

- protecting front-line services and in particular emergency services;
- maintaining the quality and safety of services; and
- delivering to service plan targets.

The principal measures being employed involve:

- reducing pay and non-pay costs;
- controlling absenteeism;
- redeployment of corporate / support staff to frontline roles;
- implementing measures to ensure that hospital care is delivered as efficiently as possible;
- improved bed utilisation and discharge planning; and
- procurement initiatives.

The HSE is driving efficiency in the acute hospital system by increasing the proportion of surgery undertaken on a day basis, increasing the admission of inpatients on their day of surgery and reducing length of hospital stay consistent with patients' clinical needs. Overall, activity in the acute hospitals is ahead of the Service Plan targets and measures have to be taken to bring elective activity back to target levels where this is necessary to address the projected deficit. Steps are also being taken to expedite the collection of private patient income and targets have been set for hospitals in this regard. The receipt of this income will contribute to tackling the projected deficit.

Specifically in the HSE Western Region, the latest indications are that it has reduced its projected end year deficit from €130 million at the end of March to €49.5m at the end of August. In order to address the remaining excess, the HSE West needs to achieve further reductions of €10 — €12 million a month for the rest of the year. The HSE West and the trade unions have been in discussions in the Labour Relations Commission in relation to a framework document to address the budget deficit, whilst protecting jobs and services. This engagement is continuing at present.

Notwithstanding the difficult financial environment, the Government is determined to do everything possible to protect patient services, to respond to priority demographic and other needs and to support ongoing reform of the public health services within the resources available for health. To achieve this, staff at all levels will have to work together to deliver services in a more flexible way. Without that co-operation and flexibility, services to patients cannot be protected. It is not just for HSE management to protect services: there is a responsibility on

everyone involved to deliver services within budget in new ways that will better serve patient needs in accordance with international practice.

HSE NET EXPENDITURE

	Aug-10 Variance
	€000s
South Region	
Hospitals	16,309
Community	4,860
RDO	
Total	21,169
Dublin / Mid Leinster Region	
Hospitals	20,551
Community	12,239
RDO	
Total	32,790
Dublin North East Region	
Hospitals	25,053
Community	15,018
RDO	
Total	40,071
West Region	
Hospitals	46,385
Community	-4,391
RDO	
Total	41,994
Total	136,024

Medicinal Products

22. **Deputy Tom Sheahan** asked the Minister for Health and Children the position regarding her plans to introduce reference pricing; the amount that will be saved from the introduction of reference pricing; if she believes that some categories of medicines are not suitable for substitution; and if she will make a statement on the matter. [34783/10]

Minister for Health and Children (Deputy Mary Harney): The Government has decided to introduce a system of reference pricing combined with generic substitution of medicines. This will promote price competition and deliver ongoing savings for both the State and for patients. In June, I launched a report which sets out a proposed model for the operation of generic substitution and reference pricing. I expect to see significant progress on the implementation of this initiative, including the legislative and administrative changes required to give it effect in 2011. There are some medicines that are unsuitable for substitution. Decisions about the interchangeability of medicines will be evidence-based and take into account best practice elsewhere.

[Deputy Mary Harney.]

Reference pricing will deliver direct savings by limiting reimbursement to a common reference price for groups of interchangeable medicines. Indirect savings will also occur as a result of increased price competition. The level of savings will depend upon a range of factors. These include the number and type of products included in reference groups, the relative and absolute prices of products within reference groups and the market response for each reference group. I anticipate that reference pricing will initially be targeted at high volume products that have the potential to achieve significant savings. I would also highlight the strategic importance of this initiative as a significant number of drugs are due to come off patent in the coming years.

This is one of a range of measures to increase value for money in this area of expenditure. I am pleased to note that the prices of over 500 generic medicines were reduced with effect from 1 October. Achieving greater value for money in this area of expenditure will ensure that patients can continue to access innovative and affordable medicines.

Medical Aids and Appliances

23. **Deputy Damien English** asked the Minister for Health and Children the total number of children and adults waiting to have a hearing aid fitted; the average waiting times to have a hearing aid fitted; the cost of hearing aids provided through the Health Service Executive; and if she will make a statement on the matter. [34738/10]

Minister for Health and Children (Deputy Mary Harney): There are 1,305 adults and 69 children waiting for hearing aids following assessment. The average waiting time for adults is currently 3 to 4 months and the average waiting time for children is approximately 6 weeks. The total cost of hearing aids provided through HSE services to medical card holders in 2009 was just over €1.4m for adults and €0.3m for children. This does not include the cost of repairs, remakes, earmoulds or accessories which amounted to almost €0.2m.

In June 2009, the HSE commissioned a National Review of Audiology Services. A key focus of this review is better integration of the various services provided by the HSE and external agencies involved in the provision of audiology services. The Review has examined the services currently being provided to children and adults nationwide to inform a national plan for the service. The Review Group expects to complete its report by year end.

Departmental Reports

24. **Deputy Joanna Tuffy** asked the Minister for Health and Children if she endorses the report of the expert working group on the financing of health services; if she intends to implement its proposals; and if she will make a statement on the matter. [34699/10]

Minister for Health and Children (Deputy Mary Harney): The Report of the Expert Group on Resource Allocation and Financing in the Health Sector was submitted to the Minister for Finance and I on 9 July 2010. The Expert Group was asked to analyse the current resource allocation arrangements for health and personal social services and recommend changes which would support the core objectives of the health reform programme. It was also asked to take a view on the most appropriate financing mechanism for this purpose in Ireland.

The Report of the Expert Group includes 34 recommendations on a wide range of issues, including:

- Developing an operational population health resource allocation model

- Introducing a prospective based funding model for all relevant areas of the health and social care system; and
- Addressing the burden of chronic disease management through an integrated care model and a new graduated form of eligibility.

The Group supported many of the recent health reform initiatives, including Fair Deal, the development of clinical care pathways, the policy of delivering integrated care outside hospitals as far as possible, the work being done on a unique health identifier and the development of more individualised funding options for persons with a disability. I am giving detailed consideration to all the recommendations contained in the Report. I intend to bring the Report to Government for its consideration shortly. I further intend to put in place an implementation process based upon the decisions of Government.

Capital Spending Programmes

25. **Deputy Simon Coveney** asked the Minister for Health and Children the amount by which the capital budget for her Department has been reduced under the revised capital programme 2010 to 2016; and if she will make a statement on the matter. [34730/10]

42. **Deputy Michael D’Arcy** asked the Minister for Health and Children the amount the capital budget for health has been reduced by under the revised capital programme 2010 to 2016; the planned projects that will be delivered within the next six years; the planned projects that will now not be delivered within the next six years; if she will publish a full list of capital projects and the revised timeframes for delivery; and if she will make a statement on the matter. [34732/10]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 25 and 42 together.

The Public Capital Programme 2010-2016 as announced by Government in July provides a total of €2,891 million over the period 2010 -2016 for the Health group of Votes. This represents an increase of approximately €35m, on the previously notified capital envelope for the period to 2013. It also confirms that the annual capital funding allocation of €400m for health will continue to 2016. The Health Service Executive’s capital plan currently covers the five year period 2010-2014. The Executive has published on its website details of the projects which it intends to deliver within this plan. The Executive, in conjunction with my Department, is also progressing the provision of infrastructure through reinvestment of the sale proceeds of asset disposals and leasing arrangements and is also exploring alternative means of financing investment. I understand that the Executive will submit before year end its updated capital investment programme for the next rolling five year period — to 2015.

With regard to my Department’s Vote, capital funding will continue to be provided for health research through the Health Research Board. This funding will include support for the joint delivery with the Wellcome Trust and others of clinical research facilities at St James’s Hospital and Galway University Hospital. Capital funding will also be provided to support the requirements of directly funded agencies under the aegis of my Department.

In relation to the Office of the Minister for Children and Youth Affairs, there has been considerable investment in childcare places in recent years primarily through the capital grant aiding of construction and refurbishment of childcare facilities. This investment has greatly improved the availability and quality of childcare options. Capital funding will continue to be provided to meet existing capital commitments including those under the Young People’s Facilities and Services Fund.

Medical Cards

26. **Deputy Michael Mulcahy** asked the Minister for Health and Children the reasons that medical card applications in the south Dublin area are taking approximately 20 weeks to be processed when submitted manually while on-line applications are taking two weeks; her views on whether this is an excessive period of time; her further views on whether this discriminates against persons who are not computer literate and those who do not have access to the Internet; and if she will make a statement on the matter. [33854/10]

Minister for Health and Children (Deputy Mary Harney): The Health Service Executive (HSE), with my full support, decided to centralise the processing of all medical cards and GP visit card applications and renewals to its Primary Care Reimbursement Service (PCRS) in Dublin. In January 2009, the PCRS took over the processing of all medical card applications for persons aged 70 or over. In September 2009, the processing of all applications from two Local Health Offices in Dublin transferred to the PCRS.

In June 2010, the HSE introduced a new website, www.medicalcard.ie, which enables people anywhere in the country to apply for a medical card through a simple and efficient online application process. Online assessments are immediate and for applicants who supply all evidence/documentation and are eligible on income grounds, medical card delivery is guaranteed within 15 days of receipt of the completed application pack. The HSE has also made provision for emergency applications to be dealt with immediately. The PCRS is receiving approximately 3,000 applications each week via this new channel, with more than 50% of these being made outside normal office hours.

Significant progress has been made in this national project in providing an improved service to the public at less cost to the State. Up to 17th September 2010 the centralised office at the PCRS has processed over 204,657 medical card applications and reviews and issued 165,407 medical cards. The next phase of the project will move the processing of all new applications to the Central Office following a consultative process with staff representatives in line with the recent agreement on pay and reform in the public service. As the centralisation process continues, more initiatives will be introduced and the current initiatives will continue to be enhanced as the HSE receives feedback and continues to engage closely with advocacy groups, staff, public representatives and primary care contractors.

When the centralisation process is finalised, staff in Local Health Offices will continue to have access to the national system and will be available to help clients with enquiries about their application or review and will also be able to deal with queries of a general nature about the medical card scheme. In relation to concerns raised by the Deputy regarding the south Dublin area, I understand that a backlog of medical card applications has accrued in some Local Health Offices and I have asked the HSE to address this issue as a matter of urgency.

Health Services

27. **Deputy Pádraic McCormack** asked the Minister for Health and Children if she will consider introducing a national foot screening programme as part of the treatment of diabetic foot disease; the estimated cost of same; and if she will make a statement on the matter. [34777/10]

160. **Deputy James Reilly** asked the Minister for Health and Children her plans to introduce a national foot screening programme as part of the treatment of diabetic foot disease; the estimated cost of same; and if she will make a statement on the matter. [35147/10]

169. **Deputy Seán Sherlock** asked the Minister for Health and Children if she will initiate a national foot screening programme to aid in the prevention of diabetic foot disease; and if she will make a statement on the matter. [34519/10]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): I propose to take Questions Nos. 27, 160 and 169 together.

The National Diabetes Programme, under the governance of the Health Service Executive's Quality and Clinical Care Directorate, was established earlier this year. It has identified three areas of high priority for implementation on a national basis. A national diabetes foot care programme is one of these. It is hoped that this programme will encompass not just foot screening but care of patients with at-risk feet. It will provide for the prevention and management of foot ulcers, thereby reducing the number of hospital in-patients beds occupied by patients with foot problems. It will also help reduce the level of amputations. The programme will establish referral pathways with rapid access to specialised care within a multi-disciplinary foot-care service.

The initiative is currently in an advanced planning stage and several meetings have been held between the various stakeholders, including clinical specialists, podiatrists, diabetes specialist nurses and the Diabetes Federation of Ireland. The programme recognises that foot problems among diabetics are a major cause of reduced quality of life. The cost of implementation of the proposed programme will be met from within current resources.

28. **Deputy Joe Costello** asked the Minister for Health and Children the current waiting lists for those seeking methadone treatment; the number of clinics now providing this service; and if she will make a statement on the matter. [34673/10]

Minister for Health and Children (Deputy Mary Harney): As of 31 July 2010 there were a total of 464 people on methadone waiting lists, none of whom were under 18 years of age, and a total of 64 HSE clinics providing methadone treatment nationwide. The total number of people on methadone at the end of July was 9,204. 5,344 people were receiving treatment in HSE clinics, 3,307 people were receiving community based treatment through General Practitioners and a further 553 people were being treated in prisons.

The HSE has prioritised the provision of additional methadone clinics in targeted areas to reduce waiting lists and waiting times. In 2009 and 2010 the HSE provided 2 additional methadone services in Cork City. This reduced the waiting list from 83 people in September 2009 to 14 people at the end of July 2010 and brought waiting times to within a month. Additional services are currently being developed around the country, for example in Wexford, Waterford, Kilkenny, Tralee, Limerick City, Drogheda and Dundalk. Premises for these clinics have been identified and services will be in place before the end of this year. The HSE also plans to provide 2 additional methadone clinics in the Midlands region.

Infectious Diseases

29. **Deputy David Stanton** asked the Minister for Health and Children her policy in relation to TB prevention; the measures in place in her Department to ensure that incidents of TB are detected and kept under control; the current situation regarding BCG vaccinations in Cork, in particular the success of the neo-natal BCG programme in CUMH and the community BCG vaccination programme; the numbers still awaiting BCG vaccinations in Cork city and county; and if she will make a statement on the matter. [34787/10]

Minister for Health and Children (Deputy Mary Harney): I am very concerned about the recent outbreak of TB in Cork. A HSE Outbreak Control team was established to manage the situation. Cases of active and latent TB found have been referred for appropriate treatment and follow up care. All involved with the school have been reassured that (i) the children with active TB infection are on treatment and are not currently infectious (ii) children or staff with

[Deputy Mary Harney.]

latent TB infection are not infectious and (iii) other children, or staff, are not at risk from contact with either the cases of active or latent TB.

In order to assess the position fully, the Chief Medical Officer of my Department immediately asked the HSE to provide information about the routine administration of BCG in all regions of the country, to identify areas where BCG vaccination is not being administered and outline what arrangements are being made to deliver these services, including a timescale for implementation. The HSE has also been asked to plan for the undertaking of an on-going audit of the delivery of BCG/TB services in the country. The service issue raised in the question by the Deputy about the numbers still awaiting BCG vaccinations in Cork city and county has been referred to the HSE for direct reply.

Health Service Funding

30. **Deputy James Bannon** asked the Minister for Health and Children the total amount of money owed by private health insurers to Health Service Executive west; and if she will make a statement on the matter. [34716/10]

66. **Deputy Jack Wall** asked the Minister for Health and Children the amount of money owed that has not been collected by the Health Service Executive west; the amount that has not been collected from health insurers; the action being taken to ensure that such money is collected; the action being taken to ensure that bills to insurance companies are sent in a timely fashion; if there are significant sums owed in other sections of the Health Service Executive; and if she will make a statement on the matter. [34704/10]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 30 and 66 together.

Charges are levied for private patients availing of private and semi-private accommodation in public hospitals. In most, but not all, cases these charges are paid by private health insurance companies on behalf of their members. At the end of 2009 some €41 million in such charges was due to the HSE West, and a further €2.5 million owed to St. John's Hospital in Limerick, which is a voluntary hospital. Charges due include those billed to patients or their insurance companies where payment was not received by year end and bills which had not issued by year end. A total of some €92.5 million income was collected by the Western Region hospitals during the course of 2009, of which €4.5m related to St. John's hospital. The average debtor period in HSE hospitals for such charges is 5.7 months. (This refers to the time from discharge to receipt of payment).

I consider that this collection period is unsatisfactory and in 2010 I set the HSE an enhanced income collection target for the year of €75 million. This target was to be achieved through improvements in the collection process and reduction in debtor days. The target for improved collection set for this year and the associated initiatives underway to achieve this include the voluntary hospitals. The industrial relations action by the health services staff in the early part of the year hindered action to achieve this target but a dedicated national project to accelerate income collection across all hospitals is now underway again. The HSE has set hospital level targets for income collection and appropriate budgetary sanctions are applied should the targets not be achieved. The HSE has put in place arrangements to speed up the payment of claims, including the electronic submission of claims and the submission of claims on a more frequent basis. The HSE and private health insurers have also agreed arrangements in a number of hospitals for sign off of claims by another consultant where delays are experienced in getting sign off of claims by the treating consultant.

In addition, in order to comprehensively address issues of charging and collection in relation to this area the Department of Health and Children has undertaken a Value for Money and Policy Review of the Economic Cost and Charges Associated with Private and Semi-Private Treatment Services in Public Hospitals. The issue of private patient income collection is addressed as part of this Review. The Review will outline an example of best practice in relation to income collection and make a number of recommendations aimed at improving collection rates and debtors days. The review is currently being finalised and it is anticipated that the Review will be brought to Government shortly.

Health Service Staff

31. **Deputy Olivia Mitchell** asked the Minister for Health and Children, further to her decision to hire an additional 270 social workers, the number that have been recruited to date; and if she will make a statement on the matter. [34758/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): The Government's Implementation Plan for the findings of the Ryan Report on the Commission to Inquire into Child Abuse committed to the recruitment of an additional 270 social workers before the end of 2011 to enable the HSE to fulfil its statutory obligations that every child in care should have a care plan and an allocated social worker. The Government provided an amount of €15m in 2010 to advance the actions in the Ryan Report Implementation Plan, including the recruitment of an additional 200 social work posts in 2010. The recruitment of an additional 200 social workers was provided for in the HSE Service Plan 2010. The filling of social work vacancies and the recruitment of additional social workers was exempted from the current public sector recruitment moratorium.

The latest available information from the HSE's Employment Census, in respect of August 2010, shows an increase of 50 social work posts to date in 2010. I would point out that there is a time lag between individuals taking up duty and their inclusion in the HSE Employment Census. The HSE has assured me that the targeted increase in social work employment for 2010 will be met. In this regard the HSE has advised that contracts have issued in respect of 172 posts under the Ryan Report Implementation Plan, while a further 29 posts have been accepted by candidates whose clearances are being processed.

Question No. 32 answered with Question No. 21.

Medical Cards

33. **Deputy Jan O'Sullivan** asked the Minister for Health and Children the current situation regarding the centralisation of the processing of medical card applications; the level of service that will remain in local health offices; and if she will make a statement on the matter. [34668/10]

Minister for Health and Children (Deputy Mary Harney): The Health Service Executive (HSE), with my full support, decided to centralise the processing of all medical cards and GP visit card applications and renewals to its Primary Care Reimbursement Service (PCRS) in Dublin. In January 2009, the PCRS took over the processing of all medical card applications for persons aged 70 or over. In September 2009, the processing of all applications from two Local Health Offices in Dublin transferred to the PCRS.

In June 2010, the HSE introduced a new website, www.medicalcard.ie, which enables people anywhere in the country to apply for a medical card through a simple and efficient online application process. Online assessments are immediate and for applicants who supply all

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evidence/documentation and are eligible on income grounds, medical card delivery is guaranteed within 15 days of receipt of the completed application pack. The HSE has also made provision for emergency applications to be dealt with immediately. The PCRS is receiving approximately 3,000 applications each week via this new channel, with more than 50% of these being made outside normal office hours. Significant progress has been made in this national project in providing an improved service to the public at less cost to the State. Up to 17th September 2010 the centralised office at the PCRS has processed over 204,657 medical card applications and reviews and issued 165,407 medical cards.

The next phase of the project will move the processing of all new applications to the Central Office following a consultative process with staff representatives in line with the recent agreement on pay and reform in the public service. As the centralisation process continues, more initiatives will be introduced and the current initiatives will continue to be enhanced as the HSE receives feedback and continues to engage closely with advocacy groups, staff, public representatives and primary care contractors. When the centralisation process is finalised, staff in Local Health Offices will continue to have access to the national system and will be available to help clients with enquiries about their application or review and will also be able to deal with queries of a general nature about the medical card scheme.

Health Insurance

34. **Deputy Jim O’Keeffe** asked the Minister for Health and Children the position regarding the timing for the capitalisation and sale of VHI; if expert advice has been obtained; the steps to be taken in the lead up to the disposal of the company; if she will give an outline of the problems to be dealt with prior to same; and if she will further give an estimate as to the expected sale price. [34706/10]

Minister for Health and Children (Deputy Mary Harney): The timing for the capitalisation and sale of the VHI will depend on a number of factors, which will be decided by Government in light of the advices of the experts on the appropriate sequencing and structure of the disposal of the company. My Department is currently finalising a request for tenders for the provision of financial, legal and all other advices relating to the rebalancing of the private health insurance market, capitalisation by the State, authorisation by the Financial Regulator and ultimate sale of the VHI.

The actual amount of capital which will be required will be determined between the Minister for Finance and the Minister for Health and Children in light of these advices. The level of capital required will be affected by a number of issues, including the amount of reinsurance and/or subordinated debt which the VHI may secure. It is not possible to specify precisely at this time what the figure for capitalisation will be or to estimate what the expected sale price of the VHI will be.

Medical Cards

35. **Deputy Mary Upton** asked the Minister for Health and Children the current waiting times for those persons applying for medical cards or general practitioner only cards; and if she will make a statement on the matter. [34701/10]

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.

Cancer Screening Programme

36. **Deputy Ruairí Quinn** asked the Minister for Health and Children if she will provide a progress report on the roll-out of the breast check screening programme; the number that have been screened per region to date in 2010 nationally; and if she will make a statement on the matter. [34689/10]

Minister for Health and Children (Deputy Mary Harney): The Deputy's questions relate to service delivery matters and accordingly I have asked the HSE to respond directly to the Deputy.

Health Service Staff

37. **Deputy Joe Costello** asked the Minister for Health and Children her policy on the replacement of speech therapists in the context of the moratorium on recruitment; if her attention has been drawn to the gaps in the service resulting from the availability of such a service both in the community and in hospitals in some parts of the country; and if she will make a statement on the matter. [34672/10]

Minister for Health and Children (Deputy Mary Harney): There has been a growing demand for, and investment in, speech therapy services over the last number of years. A particular priority for my Department and the Department of Education and Skills in recent years has been the expansion of the supply of therapy graduates. The Government has invested heavily in the education and training of such personnel in order to secure a good supply of graduates to provide for the healthcare needs of the population into the future. As a result, the numbers employed in speech and language therapy has grown significantly, from 282 whole time equivalents employed in December 1997 rising to 838 whole time equivalents in July 2010, which represents an increase of 197%.

With regard to the continued recruitment of speech therapists, my Department has written to the Health Service Executive setting out the overall approved employment control ceiling for 2010. As part of this approval, written confirmation has been provided to the HSE that the general moratorium on recruitment, promotion and the payment of acting up allowances does not apply to specific designated grades. Delegated sanction has been given to the HSE for the creation and filling of frontline posts, including speech and language therapy posts. The approval indicated that vacancies in existing posts in these grades may continue to be filled. New posts may also be created in these grades, up to a specified limit, provided that the HSE is satisfied in each case that there is no scope to redeploy an equivalent post from the hospital sector to the primary and community care sector. This moratorium exemption provides for an increase in the number of speech and language therapy posts, in line with Government policy, in order to meet the requirements of integrated care delivery and primary care needs particularly in respect of children at risk, the elderly and those with disabilities.

Health Service Funding

38. **Deputy John Perry** asked the Minister for Health and Children the amount of money owed by private health insurers to the Health Service Executive; and if she will make a statement on the matter. [34774/10]

Minister for Health and Children (Deputy Mary Harney): Charges are levied for private patients availing of private and semi-private accommodation in public hospitals. In most, but not all, cases these charges are paid by private health insurance companies on behalf of their members. At the end of 2009 some €92.5 million in such charges was due to the HSE. Charges

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due include those billed to patients or their insurance companies where payment was not received by year end and bills which had not issued by year end. A total of some €195 million in charges were incurred during the course of 2009. The average debtor period in HSE hospitals for such charges is 5.7 months. (This refers to the time from discharge to receipt of payment).

I consider that this collection period is unsatisfactory and in 2010 I set the HSE an enhanced income collection target for the year of €75 million. This target was to be achieved through improvements in the collection process and reduction in debtor days. The industrial relations action by the health services staff in the early part of the year hindered action to achieve this target but a dedicated national project to accelerate income collection across all hospitals is now underway again. The HSE has set hospital level targets for income collection and appropriate budgetary sanctions are applied should the targets not be achieved. The HSE has put in place arrangements to speed up the payment of claims, including the electronic submission of claims and the submission of claims on a more frequent basis. The HSE and private health insurers have also agreed arrangements in a number of hospitals for sign off of claims by another consultant where delays are experienced in getting sign off of claims by the treating consultant.

In addition, in order to comprehensively address issues of charging and collection in relation to this area the Department of Health and Children has undertaken a Value for Money and Policy Review of the Economic Cost and Charges Associated with Private and Semi-Private Treatment Services in Public Hospitals. The issue of private patient income collection is fully addressed as part of this Review. The Review will outline an example of best practice in relation to income collection and make a number of recommendations aimed at improving collection rates and debtors days. The review is currently being finalised and it is anticipated that the Review will be brought to Government shortly.

Finally, the Deputy's question referred to payments to the HSE but payments in respect of the same charges are also received by voluntary hospitals. At the end of 2009 some €82.6 million was owed to these hospitals. The debtor period is somewhat lower at 5.2 months but is also considered to require significant reduction. The target for improved collection set for this year and the associated initiatives underway to achieve this include the voluntary hospitals.

Health Service Staff

39. **Deputy Enda Kenny** asked the Minister for Health and Children the sanctions, if any, underway in relation to consultants known to have breached the private practice terms of their contract; and if she will make a statement on the matter. [34750/10]

Minister for Health and Children (Deputy Mary Harney): The 2008 consultants' contract includes new measures to strengthen the management, monitoring and control of public-private activity in hospitals with a view to ensuring that the level of consultant private practice within public hospitals does not exceed the permitted ratio. My Department has asked the HSE to respond to the Deputy on the detailed operational matters that he has raised.

Departmental Agencies

40. **Deputy Charles Flanagan** asked the Minister for Health and Children the relationship between her Department and the Health Information and Quality Authority; if she will outline the established protocols, if any, that are in place to ensure that recommendations made in HIQA reports are implemented without delay; and if she will make a statement on the matter. [34633/10]

Minister for Health and Children (Deputy Mary Harney): The Health Information and Quality Authority is an independent agency under the aegis of my Department and is funded from my Department's vote. Part 6 of the Health Act 2007 sets out the statutory basis for the corporate relationship between me as Minister for Health and Children and the Authority. The Act makes provision for my consideration of the Authority's three-year Corporate Plan, with its Corporate Plan 2010-2012 having been approved by me in July of this year, and its annual Business Plan. The Authority has recently completed the revision of its Code of Governance in line with guidance published by the Department Finance in 2009 and submitted it to me for my approval. I meet regularly with the Authority's Chairman and CEO. My relationship with the Authority reflects the fact that it was established with a high degree of independence in carrying out its executive functions.

The manner of implementation for the Authority's recommendations is specific to the provider and sector in question. As a matter of course, the Authority sets out timelines and specific requirements in individual reports, remains in ongoing contact with the relevant provider and stakeholders and monitors progress against agreed action plans. Details of inspections undertaken and recommendations made are published and available from the Authority's website (www.hiqa.ie).

Health Service Staff

41. **Deputy Ciarán Lynch** asked the Minister for Health and Children the action that will be taken to ensure an adequate number of junior hospital doctors are maintained in hospitals here; and if she will make a statement on the matter. [34678/10]

242. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the total number of consultant posts currently vacant or waiting to be filled throughout the private and public hospital sectors; if the filling of any such posts is affected by the recruitment embargo; and if she will make a statement on the matter. [35150/10]

244. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the total number of doctor posts currently vacant or waiting to be filled throughout the private and public hospital sectors; if the filling of any such posts is affected by the recruitment embargo; and if she will make a statement on the matter. [35152/10]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 41, 242 and 244 together.

Subject to overall parameters set by Government, the Health Service Executive (HSE) has responsibility for determining the composition of its staffing complement. In that regard, it is a matter for the Executive to manage and deploy its human resources to best meet the requirements of its Annual Service Plan for the delivery of health and personal social services to the public.

In relation to the consultant grade, Government policy is to move to a consultant-provided, rather than a consultant-led service, where consultants work on a team basis. Consultant Contract 2008 includes provisions covering an extended working day, consultants working in teams rather than as individuals and an increase in the length of the working week from 33 to 37 hours. In addition the moratorium on recruitment allows for the recruitment of additional consultants with the Employment Control Framework providing for the creation of new hospital consultant posts by the suppression of two non consultant hospital doctor (NCHD) posts. The HSE has advised that there are 459 approved consultant posts vacant. However, the majority of these posts are currently filled in a locum or temporary capacity.

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In relation to NCHDs, the HSE has advised that at present approximately 260 of 4,638 posts are substantively vacant. Many of these posts are also being filled by locums or other short-term contractual arrangements. The moratorium on public sector recruitment is not a factor in these NCHD vacancies. Other countries are also experiencing difficulties in recruiting NCHDs.

My Department is working with HSE and relevant stakeholders to ensure that an adequate number of NCHDs is maintained in the public health service. In addition the HSE are currently developing a range of strategies and initiatives for the forthcoming NCHD rotations in January and July 2011 with a view to maximising recruitment. Measures in train include restructuring training rotations to ensure they're appropriately aligned with service requirements; development of a centralised recruitment process for service posts; introducing a single contact point for HSE agencies to obtain locum / temporary medical staff and also measures to progress the appointment of additional Consultants. My Department does not have figures for the number of hospital consultant and NCHD posts currently vacant in the private hospital sector.

Question No. 42 answered with Question No. 25.

Health Service Funding

43. **Deputy Liz McManus** asked the Minister for Health and Children the current funding being made available to the rape crisis centres nationally and the percentage increases and decreases per centre from 2009 to 2010; and if she will make a statement on the matter. [34682/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the HSE for direct reply.

Health Service Staff

44. **Deputy John Perry** asked the Minister for Health and Children the reason the national referral centre for paediatric immunology has no full-time consultant immunologist; and if she will make a statement on the matter. [34767/10]

Minister for Health and Children (Deputy Mary Harney): The HSE has advised my Department that it has provided funding to support two consultant immunology posts structured as follows:

- (a) Consultant Paediatric Immunologist with a special interest in Paediatric Allergy. The post will be deployed with 24 hours assigned to Our Lady's Children's Hospital, 10 hours assigned to AMNCH and 3 assigned to St James's Hospital.
- (b) Consultant Paediatrician with a special interest in Primary Immune Deficiency. The post will be deployed with 24 hours assigned to Our Lady's Children's Hospital, 10 hours assigned to the Children's University Hospital, Temple Street and 3 assigned to St James's Hospital.

The establishment of the two consultant posts, based mainly in Our Lady's Children's Hospital, will support the integrated management of such disorders and thus provide for improved outcomes. For example approximately 25-45% of Irish children suffer from asthma. Allergy focussed care of asthma decreases hospital emergency department attendances by 55%. The Health Service Executive is currently working with the relevant hospitals and at national level to recruit the required specialists within the context of its overall ceiling and the consultant guidelines laid down.

Hospital Waiting Lists

45. **Deputy Emmet Stagg** asked the Minister for Health and Children the progress being made to reduce the waiting lists for those patients waiting to access dermatology services; the number currently waiting; the time period involved; and if she will make a statement on the matter. [34697/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

Health Service Staff

46. **Deputy Pat Rabbitte** asked the Minister for Health and Children the number of community welfare officers currently employed in each Health Service Executive region; if there are any plans to make further staff and resources available to CWO in view of the increasing demands being placed upon them due to increased unemployment levels; and if she will make a statement on the matter. [34691/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for attention and direct reply to the Deputy.

47. **Deputy Kathleen Lynch** asked the Minister for Health and Children the number of chiropodists currently employed by the Health Service Executive per region; the current waiting times for elderly persons wishing to avail of this service; and if she will make a statement on the matter. [34681/10]

Minister for Health and Children (Deputy Mary Harney): With regard to the number of chiropodists currently employed in the HSE per region, as this is a service matter it has been referred to the HSE for direct reply.

Health Services

48. **Deputy Shane McEntee** asked the Minister for Health and Children if she accepts that the Health Service Executive dental policy which advises not to fill cavities in children's teeth puts children's health at risk; and if she will make a statement on the matter. [34753/10]

Minister for Health and Children (Deputy Mary Harney): The HSE has not issued a national directive to dentists working in the Public Dental Service that they are not to fill cavities in children's teeth. The Deputy may be referring to a clinical policy in Sligo/Leitrim for the past 15 years not to fill milk teeth unless there was clear evidence of an associated health benefit. In response to media reports in August, the Principal Dental Surgeon for the area said that this policy is evidence-based. He stated "The policy in Sligo/Leitrim focuses on dealing with the causes of the decay and working towards reducing the risk of tooth decay in baby teeth. It also prioritises treatment of permanent teeth. Any baby teeth which are causing pain or which may consequently cause problems for adult teeth are of course treated as required".

The HSE has recently appointed a new Oral Health Lead to ensure that the delivery of oral health services is in line with national policies and best practice. In one area, Sligo/Leitrim, a clinical decision was taken many years ago to prioritise adult teeth in children and not to fill deciduous teeth unless there was clear evidence of an associated health benefit. Children in pain or sepsis, or those at high risk or with special needs are treated as required. Children are generally seen for the first time in the Sligo/Leitrim area at approximately 7 years of age. There is no evidence that this local policy has adversely affected the oral health or general health of children in this area.

Mental Health Services

49. **Deputy Jan O’Sullivan** asked the Minister for Health and Children the number of the 99 child and adolescent mental health teams that have been committed to that have been delivered to date; of the child and adolescent mental health teams which are operational, the number that have a full complement of staff as recommended in A Vision for Change; the number of staff currently working in child and adolescent mental health teams and the disciplines involved; and if she will make a statement on the matter. [34703/10]

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.

Hospitals Building Programme

50. **Deputy Jimmy Deenihan** asked the Minister for Health and Children if she will review the proposed site for the national paediatric children’s hospital; and if she will make a statement on the matter. [34736/10]

Minister for Health and Children (Deputy Mary Harney): A joint HSE/Department of Health and Children Task Force was established in February 2006 following the presentation of the report Children’s Health First-International best practice in tertiary paediatric services: implications for the strategic organisation of tertiary paediatric services in Ireland to advise on the optimum location of the proposed new paediatric hospital. The Task Group also included representation from the Office of Public Works.

This Task Group considered submissions from a number of hospitals in the greater Dublin area, from private hospitals, property developers and site owners and engaged in extensive consultations with the three existing paediatric hospitals, the maternity hospitals and external experts. The Task Group’s recommendation, when selecting from the 6 adult hospital sites, was based on several factors laid out in their report relating to the current location of clinical services around the city. They also took into account potential planning difficulties with the sites and the readiness of the sites for new development. Through the establishment of a clinical network, with the Mater as its centre, this site was considered to be in a good geographical position to facilitate access to the key specialties, shared between adults and children. I am committed to proceeding with this important project and am not persuaded that a different location is warranted.

Health Services

51. **Deputy Jim O’Keeffe** asked the Minister for Health and Children if she has given instructions to the Health Service Executive to encourage and develop the home help service as much as possible, so as to assist in keeping the elderly and the infirm in their own homes and to reduce the costs of institutional care; and if she will make a statement on the matter. [34705/10]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): Government policy is to support older people to live in dignity and independence in their own homes and communities for as long as possible. This long established Policy is implemented by the HSE, and is realised through a range of community services such as Home-Help, Home Care Packages, Meals-on-Wheels, and Day/Respite care. Such supports have the added objective of reducing inappropriate admissions by older people to acute hospital or long-term residential care. The importance attached to these services is highlighted by the fact that, between 2006 and 2010, over €200 million additional funding was provided to the HSE to develop such supports for older people.

The HSE has responsibility for the delivery of the Home-Help service, in line with its HSE National Service Plan 2010. This commits the Executive to provide 11.98 million Home-Help hours nationally this year to over 54,000 people. The target for 2010 for Home-Help hours is unchanged over the 2009 figure. In addition to the mainstream Home-Help provision, the current Service Plan is designed to deliver Home Care Packages to around 9,600 people at any one time or to some 13,000 clients over the course of the year. Arising from an independent Evaluation of Home Care Packages, published by the Department in December last, the HSE subsequently established a Task Group to progress this year various improvements in home care provision generally. These include:- introduce standardised access and operational guidelines for the delivery of Home Care Packages; adopt a voluntary code of *Quality Guidelines for Home Care Support Services for Older People*; and progress a new Procurement Framework for home care services.

In addition, the HSE is also developing Procedural Guidelines for the Home Help service which will standardise access to and allocation of Home Help hours to assist the Executive in managing the scheme in an equitable way across the country. The various Guidelines now being prepared are intended to allow the HSE adopt a more standardised approach nationally to the future provision of home care services and underscores this Government's continuing commitment to these services.

Special Educational Needs

52. **Deputy Eamon Gilmore** asked the Minister for Health and Children if there has been a change in the procedure whereby health professionals provide reports which form the basis for the allocation of educational supports for children with special needs in schools; and if she will make a statement on the matter. [34674/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): As this is a service matter it has been referred to the HSE for direct reply.

Hospital Services

53. **Deputy Kieran O'Donnell** asked the Minister for Health and Children the basis of the Health Service Executive decision to cease surgery at Navan Hospital, County Meath; the clinical reasons behind this decision; if she will provide details of a Health Service Executive review into this matter; and if she will make a statement on the matter. [34762/10]

68. **Deputy Arthur Morgan** asked the Minister for Health and Children if she will reinstate essential emergency services at a hospital (details supplied) in County Louth; and if she will make a statement on the matter. [34712/10]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 53 and 68 together.

In their role as patient advocates for high quality safe surgical care and practice, the Royal College of Surgeons of Ireland supported the decision of the Director of Quality and Clinical Care of the HSE to cease emergency acute surgical services at Our Lady's Hospital in Navan, with effect from September 1st this year.

Earlier this year, the HSE North East identified two general surgery cases with poor clinical outcomes. It later identified four laparoscopic surgery cases where outcomes were also poor. The HSE has asked the RCSI to nominate two senior clinicians to review the two general surgery cases. The precise format of this review will be finalised shortly and the review will be concluded as soon as possible. The HSE has appointed a review team of three senior surgeons,

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with appropriate experience and standing, to undertake a review of the four laparoscopic cases. This review is expected to take approximately two months.

Four reviews have been conducted into the Department of Surgery in Navan since 2005. The HSE has accepted all of the recommendations of these reviews and is committed to their ongoing implementation. All decisions regarding the location of services will be taken with patient safety as the priority. Minor elective surgery and endoscopy will remain in Navan. The Hospital also continues to be the regional centre for elective orthopaedic surgery.

Health Service Staff

54. **Deputy Pat Rabbitte** asked the Minister for Health and Children the number of physiotherapists currently employed or contracted by the Health Service Executive in each HSE region; her plans to increase this number; and if she will make a statement on the matter.

[34690/10]

Minister for Health and Children (Deputy Mary Harney): My Department has written to the Health Service Executive setting out the overall approved employment control ceiling for 2010. As part of this approval, written confirmation has been provided to the HSE that the general moratorium on recruitment, promotion and the payment of acting up allowances does not apply to specific designated grades. Delegated sanction has been given to the HSE for the creation and filling of frontline posts, including physiotherapy posts. The approval indicated that vacancies in existing posts in these grades may continue to be filled. Newposts may also be created in these grades, up to a specified limit, provided that the HSE is satisfied in each case that there is no scope to redeploy an equivalent post from the hospital sector to the primary and community care sector. This moratorium exemption provides for an increase in the number of physiotherapy posts, in line with Government policy, in order to meet the requirements of integrated care delivery and primary care needs particularly in respect of children at risk, the elderly and those with disabilities.

With regard to the number of physiotherapists currently employed in each HSE region, as this is a service matter it has been referred to the HSE for direct reply.

Health Services

55. **Deputy Róisín Shortall** asked the Minister for Health and Children to ensure that the budgets for community care are protected in order that elderly and disabled persons currently receiving home help or home care will not be adversely affected; and if she will make a statement on the matter. [34695/10]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): Government policy is to support older people to live in dignity and independence in their own homes and communities for as long as possible. This is delivered through a range of community services such as Home-Help, Home Care Packages, Meals-on-Wheels, and Day/Respite care. Such supports have the added objectives of reducing inappropriate admissions by older people to acute hospital or long-term residential care.

The importance attached to these services is highlighted by the fact that over **€200m** additional funding has been provided in recent years for these services. The HSE has responsibility for the delivery of Home Care services, in line with its National Service Plan 2010. This commits the Executive to provide 11.98 million Home-Help hours nationally this year to over 54,000 people. The target for 2010 for Home-Help hours is unchanged over the 2009 figure. In addition to the mainstream Home-Help provision, the current Plan is designed to deliver Home

Care Packages to around 9,600 people at any one time, or to some 13,000 clients over the course of the year, and to cater for the provision of around 21,300 Day/Respite Care places.

In the period 2006 to 2008, over €425m was provided to the HSE under the National Disability Strategy Multi Annual Investment Programme for the provision of additional specialist health and personal social services for people with a disability. In 2009, the HSE provided 3.2 million hours of personal assistant / home care services to people with a disability. In Budget 2010 additional funding of €19.5m was provided to the Executive to respond to demographic growth in demand for emergency residential placements, additional day places, and personal assistant/home support hours. The current HSE Service Plan commits the Executive to providing the same level of service as in 2009, in other words, 3.2 million hours, and an additional 140,000 hours of personal assistant / home care services for people with a disability.

Deliberations by the Government on the expenditure allocations for next year are likely to continue up until Budget time, and it would not be appropriate for me to comment further at this stage, pending the outcome of those deliberations. The very difficult financial position facing the Exchequer will obviously require very careful management across all areas of expenditure. Notwithstanding this difficult financial environment, the Government is determined to do everything possible to protect the services referred to by the Deputy, to respond to priority demographic and other needs, and to support ongoing reform of the public health services within the resources available for health.

Hospitals Building Programme

56. **Deputy Leo Varadkar** asked the Minister for Health and Children if a decision has been made on the location of the new central mental hospital; when this decision will be made; and if she will make a statement on the matter. [34771/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): No decision has as yet been made in relation to the location of the new Central Mental Hospital (CMH); however an alternative site has been identified and preliminary discussions have taken place between the HSE and the planning authorities. The development of the new CMH remains a priority for the Government and the HSE has been asked to submit a business case for the project and to explore alternative funding options to deliver the new hospital.

Health Service Staff

57. **Deputy Martin Ferris** asked the Minister for Health and Children the number of Health Service Executive posts currently unfilled, by region, as a result of the recruitment embargo; and if she will make a statement on the matter. [34711/10]

Minister for Health and Children (Deputy Mary Harney): The Government has made clear that a critical part of its strategy to restore the public finances is to achieve sustainability in the cost of delivering public services relative to State revenues. To help achieve this goal, it will be necessary to restructure and reorganise the public service and to reduce public service numbers over the coming years. This requires that the moratorium on recruitment and promotion in the health service will continue to apply until the numbers have fallen to the level set out in the Employment Control Framework for the health sector.

The Framework for 2010-2012 gives effect to the Government decision on employment policy in the public sector and provides that there will be a net reduction in employment to 2012. This includes a target reduction in numbers in 2010 to achieve the overall reduction of 6,000 from March 2009 to the end 2012 and consequential pay roll savings. Based on numbers reductions already achieved in 2009, the net target reduction to end 2012 is 4,560 WTE (or

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1,520 per annum). While there is provision in the HSE's Employment Control Framework for some exemptions and exceptions these are limited because of the need to achieve the required payroll savings. As this is a service matter, it has been referred to the HSE for attention and direct reply to the Deputy.

Question No. 58 answered with Question No. 21.

Hospital Services

59. **Deputy Eamon Gilmore** asked the Minister for Health and Children the way she proposes to address the extra demand on maternity services; if resources will be provided to relocate maternity hospitals in Dublin and in Limerick to acute hospital campuses; and if she will make a statement on the matter. [34675/10]

Minister for Health and Children (Deputy Mary Harney): The latest information from the HSE for July 2010 indicates that the total number of births nationally is marginally lower than the same period last year (-1%) and is showing a 1.8% decrease against expected levels for 2010. The HSE is putting arrangements in place to progress the recommendations of the HSE/KPMG review of Maternity Services in the Greater Dublin Area including service redesign, workforce needs, clinical governance, teaching, training and physical infrastructure requirements.

Each of the three Dublin maternity hospitals has begun to develop site specific proposals in relation to their proposed location. This process involves working closely with each of their proposed adult hospital sites and in the case of the Rotunda also with the National Paediatric Hospital project. Local project steering groups have been established between the maternity hospitals and their proposed adult sites. The HSE has met with the three Dublin maternity hospitals as a group and emphasised the need for close collaboration across the maternity and acute partner hospitals in preparing the business cases for relocating the existing maternity services. The three draft business cases, prepared by the maternity hospitals are being reviewed by the HSE to identify potential savings that can be yielded from this approach.

In relation to Limerick, the HSE has indicated that its the long-term objective is to re-locate maternity and orthopaedic services to the Dooradoyle site. Discussions are at an early stage with regards to securing capital for this project.

Health Service Funding

60. **Deputy Paul Connaughton** asked the Minister for Health and Children the amount the health budget will be reduced by in 2011; and if she will make a statement on the matter. [34727/10]

Minister for Health and Children (Deputy Mary Harney): The level of funding available for the health budget is being considered as part of the Estimates and budgetary process for 2011 which is currently underway. Deliberations by the Government on the expenditure allocations for next year are likely to continue up until Budget time and it would not be appropriate for me to comment further at this stage pending the outcome of those deliberations. The very difficult financial position facing the Exchequer will obviously require very careful management across all areas of expenditure.

Vaccination Programme

61. **Deputy Joanna Tuffy** asked the Minister for Health and Children if she will give a

progress report on the provision of the HPV cervical cancer vaccine per Health Service Executive region; the numbers of young women already vaccinated; her view on providers of the vaccine offering the service to older girls for a fee; and if she will make a statement on the matter. [34700/10]

Minister for Health and Children (Deputy Mary Harney): The second phase of the HPV vaccination programme began as scheduled in secondary schools on 16th of September. Data regarding vaccine uptake will be issued by the HSE directly to the Deputy as soon as it becomes available. There are two vaccines licensed in Ireland to prevent HPV infection. Cervarix was licensed in September 2006 and Gardasil was licensed in September 2007. Both, are therefore available for use under the direction of a medical practitioner.

Health Services

62. **Deputy Róisín Shortall** asked the Minister for Health and Children the progress which has been made in the provision of an after office hours social worker service; and if she will make a statement on the matter. [34694/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): The Government and the HSE remain committed to the development of a comprehensive needs-based service for children at risk. In this context, the HSE established the Emergency Place of Safety Service in June 2009. This service makes provision for Gardaí to access an appropriate place of safety for children found to be at risk out of hours under Section 12 of the Child Care Act 1991. The provision of this service, which conforms with relevant regulations and standards, aims to ensure that children presenting as 'at risk' outside of normal working hours are provided with an appropriate emergency place of safety thereby reducing or eliminating social admissions of children in an acute hospital setting.

The Emergency Place of Safety service provides a standardised response across the country for children who can be appropriately placed in a family setting. This service applies outside the Dublin, Kildare and Wicklow areas where such services are already provided. The on-going operation of the service is under review by a joint HSE/Garda Committee. I am informed by the HSE that since the Emergency Place of Safety Service was established there have been 309 phone calls from an Garda Síochána with 172 children and young people having been provided with placements through the service as of 15th September, 2010.

In addition, and instead of developing a stand alone social work out of hours service, it has been agreed to develop alternative proposals based on a more integrated approach which builds on the HSE's existing out of hours services including GPs, acute hospital services and mental health services. This should provide a more effective and integrated service by using existing resources and strengthening the links between services such as mental health and social work to appropriately address incidents occurring outside usual working hours. The aim is to ensure that persons seeking personal social services outside normal working hours can be provided with appropriate advice, information, support and, in emergency situations, access to specialist staff, such as staff working in the areas of mental health and suicide prevention. The Government's Implementation Plan for the recommendations of the Commission to Inquire into Child Abuse also committed to the piloting of two out of hours projects. The sites of these two pilot sites are now being finalised and discussions are ongoing to commence the pilots as soon as possible.

Departmental Staff

63. **Deputy Kathleen Lynch** asked the Minister for Health and Children the number of staff

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in her Department; if that number has decreased; if the moratorium has been applied in the case of any Department staff; and if she will make a statement on the matter. [34680/10]

Minister for Health and Children (Deputy Mary Harney): There were 470.91 whole time equivalents employed in my Department at the end of August 2010. Serving numbers are collated at the end of each month and the September 2010 figures are not yet available. The end August figure represents a reduction of 121 (20%) over the number employed at the end of December 2007. Staffing levels will need to be reduced by a further 20 whole time equivalents in order to meet the agreed Employment Control Framework target of 450 by the end of 2012.

Generally speaking vacancies generated as a result of people leaving the Department have been managed through re-organisation and re-allocation of work among remaining staff. My Department has applied for 3 exemptions to the moratorium which were considered critical to the operation of the Department. All three applications were approved by the Minister for Finance. These posts were:

- Director General position at the Office of the Minister for Children & Youth Affairs,
- Youth Work Assessor at the Office of the Minister for Children & Youth Affairs, and
- Chief Executive Officer for the Adoption Authority.

Long-Term Illness Scheme

64. **Deputy Brian O'Shea** asked the Minister for Health and Children if she will review the illnesses covered by the long-term illness scheme; if she will, in particular, include irritable bowel disease; and if she will make a statement on the matter. [34684/10]

Minister for Health and Children (Deputy Mary Harney): There are no plans to extend the list of eligible conditions covered by the Long Term Illness Scheme. Under the Drugs Payment Scheme no individual or family pays more than €120 per calendar month towards the cost of approved prescribed medicines. The scheme is easy to use and significantly reduces the cost burden for families and individuals incurring ongoing expenditure on medicines. In addition, people who cannot, without undue hardship, arrange for the provision of medical services for themselves and their dependants may be entitled to a medical card. In the assessment process, the Health Service Executive can take into account medical costs incurred by an individual or a family. Those who are not eligible for a medical card may still be able to avail of a GP visit card, which covers the cost of general practice consultations.

Departmental Staff

65. **Deputy Joan Burton** asked the Minister for Health and Children the progress which has been made in the transfer of community welfare officers from her Department to the Department of Social Protection; the number of such staff who will continue to serve under her Department; and if she will make a statement on the matter. [34671/10]

Minister for Health and Children (Deputy Mary Harney): The Health Service Executive, the Department of Social Protection and my Department are in discussions with the relevant unions to implement the Government decision to transfer the Community Welfare Service (CWS) from the Health Service Executive to the Department of Social Protection (DSP). Despite intensive engagements having commenced late last year, there was little progress made due to the ongoing industrial action across the public service at that time.

The staff concerned are employees of the HSE, not of my Department. I have been advised that further facilitated talks, under the auspices of Labour Relations Commission, are now underway. Both sides met as recently as Friday last, 1st October, and a series of intensive meetings is scheduled to take place over the course of this month. Management intend that the transfer will take effect from 1st January 2011. It is also intended, in the light of the increased demands on the CWS, that the full complement of staff involved in delivering the Service, will now transfer to the DSP. The precise number is to be established shortly, but it will be in excess of 1,000 WTEs. I understand that an updated census of the full staff complement should be completed by the HSE this week.

Ultimately, this transfer is one which will see the Community Welfare Service being properly located in the Department of Social Protection, and will result in a better service for the public who avail of it. In implementing the transfer, the DSP is committed to protecting and enhancing SWA service delivery. It will mean that CWOs will work alongside local DSP Office staff, Job Facilitators, Social Welfare Inspectors, Placement Officers, etc., to deliver an improved, unified service to the public who avail of it.

Question No. 66 answered with Question No. 30.

Hospitals Building Programme

67. **Deputy Paul Kehoe** asked the Minister for Health and Children the position regarding the co-location policy; if she is concerned that the VHI will not cover its customers in co-located private hospitals. [34749/10]

Minister for Health and Children (Deputy Mary Harney): The Renewed Programme for Government re-affirms the Government's commitment to the hospital co-location programme. Preferred bidders have been selected for six co-located projects. The co-location programme is a complex public procurement process. It is a matter for each successful bidder to arrange its finance under the terms of the relevant Project Agreement. The co-location initiative, like other major projects, has to deal with the changed funding environment. The HSE is continuing to work with the successful bidders to provide whatever assistance it can to help them advance the projects.

I have no role to play in the day to day running and commercial decisions relating to private health insurers. Private health insurance providers are free to choose their own service providers in order to service the health needs of their own insured population. As the regulator of the private health insurance market, it would not be appropriate for me to interfere with commercial arrangements between insurers and their chosen providers.

Question No. 68 answered with Question No. 53.

Health Services

69. **Deputy Martin Ferris** asked the Minister for Health and Children if she will reverse the cutbacks to the dental treatment services scheme and the dental treatment benefit scheme in view of the hardship caused to patients and the adverse consequences for dental health and for the dental profession, including the closure of practices; and if she will make a statement on the matter. [34710/10]

72. **Deputy Willie Penrose** asked the Minister for Health and Children if she will restore preventive dental care to medical card patients; and if she will make a statement on the matter. [34686/10]

241. **Deputy Paul Kehoe** asked the Minister for Health and Children the position regarding dental charges for medical card holders; the entitlements to dental services for medical card holders; and if she will make a statement on the matter. [35090/10]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 69, 72 and 241 together.

The Government's decision to limit the funding available to the Dental Treatment Services Scheme (DTSS) was made in view of the current position of the public finances and the 60% increase in expenditure in the DTSS over the past five years. The Health Service Executive (HSE) has introduced measures to contain DTSS expenditure at the 2008 level of approximately €63 million. There are no plans to reverse these changes. Under the new measures the range of treatments available are being prioritised. Other than emergency care, the remaining care provision is subject to prior approval by a clinician in the HSE, who will prioritise for:

- High risk and exceptional patients,
- Those requiring emergency care, and
- Patients who are considered to have greater clinical urgency and/or necessity in receiving care.

The HSE will monitor the ongoing effect of these changes from a clinical and budgetary perspective and will continue to engage with dental professionals to ensure clarity and consistency in implementing these changes. The dental and oral health services currently provided through the HSE Public Dental Service for high risk groups will not be affected by these changes to the DTSS. There are no charges for treatment provided under the DTSS, except for the prescription charge of 50c per item supplied by a community pharmacist on the prescription of a dentist. This charge was introduced on 1st October 2010 and is subject to a cap of €10 per month for each person or family.

Hospital Staff

70. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the extent of which nursing or other posts need to be filled at each public hospital here in order to ensure the availability of the full complement of services required; her plans to expedite the procedures to facilitate the early filling of such posts in each case with particular reference to situations when the hospital authorities have indicated an urgency in order to maintain a high quality and availability of service while in compliance with recruitment guidelines; and if she will make a statement on the matter. [34581/10]

Minister for Health and Children (Deputy Mary Harney): The Government has made clear that a critical part of its strategy to restore the public finances is to achieve sustainability in the cost of delivering public services relative to State revenues. To help achieve this goal, it will be necessary to restructure and reorganise the public service and to reduce public service numbers over the coming years. This requires that the moratorium on recruitment and promotion in the health service will continue to apply until the numbers have fallen to the level set out in the Employment Control Framework for the health sector. The Framework for 2010-2012 gives effect to the Government decision on employment policy in the public sector and provides that there will be a net reduction in employment to 2012. This includes a target reduction in numbers in 2010 to achieve the overall reduction of 6,000 from March 2009 to the end 2012 and consequential pay roll savings. Based on numbers reductions already achieved in 2009, the net target reduction to end 2012 is 4,560 WTE (or 1,520 per annum). While there is provision in the

HSE's Employment Control Framework for some exemptions and exceptions these are limited because of the need to achieve the required payroll savings.

Medical Cards

71. **Deputy Ciarán Lynch** asked the Minister for Health and Children the latest figures for those in receipt of medical cards and general practitioner only cards; the number of cards issued to date in 2010; and if she will make a statement on the matter. [34679/10]

Minister for Health and Children (Deputy Mary Harney): Details of the number of medical card and GP visit card holders are provided to my Department each month by the Health Service Executive (HSE). The figures are provided on a net basis, showing the balance after new cards have been issued and other cards, as appropriate, have been deleted from the Executive's database, e.g. following a review of a person's circumstances. The most recent figures provided by the HSE to my Department reflect the position on 1st September 2010 and show 1,578,613 medical card holders and 110,297 GP visit card holders on that date. On 1st January 2010, the number of medical card holders was 1,478,560 and the number of GP visit card holders was 98,325, giving a net increase of 100,053 medical card holders and 11,972 GP visit card holders from 1st January to 1st September 2010.

Question No. 72 answered with Question No. 69.

Hospital Staff

73. **Deputy Frank Feighan** asked the Minister for Health and Children the spend on agency staff in hospitals for each of the years 2006, 2007, 2008, 2009 and the estimated total spend during 2010; and if she will make a statement on the matter. [34741/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for attention and direct reply to the Deputy.

Hospital Services

74. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the number of hospital beds currently out of use for whatever reason or purpose at each public hospital here; the relevant number of wards closed in respect of such hospitals; the extent of waiting lists for each procedure at each of these hospitals; the extent of the use of trolleys in lieu of beds at the same hospitals; the extent of waiting or overcrowding at accident and emergency in such hospitals; the extent to which she intends to address these issues in the short to medium term; the extent to which the situation compares with the private hospital sector; and if she will make a statement on the matter. [34580/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

75. **Deputy Seán Sherlock** asked the Minister for Health and Children when private hospitals will be subject to regulation by the Health Information and Quality Authority; and if she will make a statement on the matter. [34692/10]

Minister for Health and Children (Deputy Mary Harney): The Government approved the development of legislation to underpin recommendations of the Commission on Patient Safety and Quality Assurance for a mandatory licensing system for public and private health service providers, including licensing for private hospitals. The Health Information and Quality Auth-

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ority will be the licensing authority. The grant of licences will be linked to compliance with standards set by HIQA and HIQA recently initiated a public consultation on draft National Standards for Safer Better Healthcare. My Department is currently preparing the necessary legislative proposals and, subject to Government approval, I intend to carry out a public consultation process on draft heads of a Bill early next year. I propose to bring the legislation into operation from 2012, beginning with hospital services.

76. **Deputy Willie Penrose** asked the Minister for Health and Children the progress made in developing specific fully staffed cystic fibrosis units in designated hospitals; and if she will make a statement on the matter. [34687/10]

Minister for Health and Children (Deputy Mary Harney): The HSE proposes that services for people with Cystic Fibrosis would be delivered by specialist cystic fibrosis centres either offering full care or supervision of structured shared care centres with satellite CF centres at the following sites:

Dublin North: Beaumont (adult) linked with Children's University Hospital, Temple Street (children).

Dublin South: St Vincent's University Hospital (adult) linked with a more closely integrated children's service at Our Lady's Childrens Hospital, Crumlin/National Children's Hospital, Tallaght (pending the establishment of the New Children's Hospital) Cork:

Cork University Hospital (adults and children)

Limerick: Midwestern Regional Hospital, Limerick (adults and children)

Galway: Galway Regional Hospital (adults and children).

€6.78 million was provided to the Health Service Executive in 2006 and 2007 to develop services for patients with cystic fibrosis. This was to include the recruitment of additional staff across a range of disciplines. 52.55 WTE persons are in post at present and a further 4.25 WTE posts are at an advanced stage of recruitment.

Prescription Charges

77. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children the manner in which prescription charges in excess of €10 per month will be reclaimed by medical card holders; if she has an estimated cost for administration of the charges; and if she will make a statement on the matter. [34709/10]

Minister for Health and Children (Deputy Mary Harney): Since 1st October 2010, medical card holders are required to pay a 50c charge for medicines and other prescription items supplied to them by community pharmacists. The charges are subject to a cap of €10 per month for each person or family. Should a person or family pay more than €10, the HSE will issue refunds automatically on a quarterly basis based on the information received from the dispensing pharmacy. However, if a person considers that they have not received the refund due to them there is a refund claim form available through the HSE and an online version of the form is available on www.medicalcard.ie or www.hse.ie. I do not expect that the introduction of prescription charges will have any significant ongoing resource implications for the HSE in terms of costs or staffing.

Mental Health Services

78. **Deputy Jack Wall** asked the Minister for Health and Children the amount of money that has been raised from the sale of psychiatric institutions and lands in 2010; if it is intended to subvent this amount to fulfil promises to provide mental health services in the community; and if she will make a statement on the matter. [34702/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): The first part of the Deputy's question has been referred to the HSE for direct reply as it refers to a service matter. The Deputy may wish to note that Budget 2010 provided for a multi-annual programme of capital investment in high priority mental health projects, which will be funded from the proceeds of the disposal of psychiatric assets. The mental health capital programme will provide a range of facilities across the entire spectrum of mental healthcare facilities including acute psychiatric units, child and adolescent units, day hospitals, community nursing units and high support hostels. In 2010, the HSE will proceed to dispose of surplus assets and reinvest an initial sum of €50m in the mental health capital programme. Provision for continued funding of the programme will be made in the 2011 Estimates and subsequent years, in the light of the previous year's programme of asset sales.

Constitutional Amendments

79. **Deputy Charles Flanagan** asked the Minister for Health and Children if she will clarify the level of consultation, if any, that she has engaged in with other Departments since the publication of draft wording for a proposed constitutional amendment on children; and if she will make a statement on the matter. [34632/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): I presented a copy of the third and final report of the Joint Committee on the Constitutional Amendment on Children to Cabinet in early March. The Cabinet decided that, in view of the complex nature of the issues involved, all Ministers and Government Departments as well as the Attorney General should consider the report and examine the implications of the proposed wording for their individual areas of responsibility.

A range of unintended policy and resource implications were identified, including concerns that the concept of continuity of care might lead to children being left in inappropriate care situations. There were also concerns about implications for immigration policy as someone due to be deported could claim it is in their child's interests that they remain in the country and about the way in which the voice of the child provisions could lead to unwieldy and inappropriate arrangements; for example, where a child is being suspended from school it could result in legal representation being on both sides.

In view of these difficulties, the Minister for Children and Youth Affairs presented to Government the policy objectives for the Referendum and was granted Government approval to develop revised wording for an amendment, in co-operation with the office of the Attorney General. New wording, which takes into account the proposals put forward by the Committee, is being drafted by the Attorney General's Office with policy support provided by the Office of the Minister for Children and Youth Affairs. It is hoped that a recommendation will be brought by the Minister to Cabinet soon. The matter is receiving full attention. Meetings have taken place between myself, the Minister for Children and Youth Affairs, the Tánaiste, the Attorney General, and the Minister for Justice, Equality and Law Reform with a view to moving a proposal forward.

Hospital Acquired Infections

80. **Deputy Ruairí Quinn** asked the Minister for Health and Children the progress made in designing and implementing modern hygiene practices in hospitals in order to reduce and eradicate MRSA and other infections; and if she will make a statement on the matter. [34688/10]

Minister for Health and Children (Deputy Mary Harney): Maintaining hospital hygiene practice is an essential component of the drive to reduce hospital associated infections. Health Care Associated Infections (HCAIs) continue to be a challenge for healthcare systems worldwide. Ireland is not unique in this regard and tackling HCAIs here continues to be a priority for the government and for the Health Service Executive (HSE). A National Infection Control Action Plan, launched in 2007, aims to reduce HCAIs by 20%, MRSA infection by 30% and antibiotic consumption by 20%. The number of MRSA bloodstream infections for the past four years fell from 592 cases in 2006, 536 cases in 2007, 435 cases in 2008 to 355 cases in 2009. This shows a decrease in such infections of over 40% between 2006 and 2009.

Data on alcohol hand rub consumption which is an important part of the hygiene effort shows a 30% increase since 2007. The *Guidelines for Antimicrobial Stewardship in Ireland* aims to promote the sensible prescribing of antibiotics. Data on antibiotic consumption collected by the HPSC shows a welcome decrease in antibiotic consumption in 2008 for the first time since 2000. This decrease has continued in 2009.

The Health Information and Quality Authority published its National Standards for the Prevention and Control of Healthcare Associated Infections in May 2009. It is intended that inspection of public acute hospitals using these Standards will commence during this year; the Standards will also be applied to primary care settings as appropriate. In addition to the above mentioned developments, the HSE published new Environmental Building Guidelines in December 2008 to inform infection control policy in all new builds and refurbishments. I am satisfied that significant steps are being taken to reduce the rates of Health Care Associated Infections, including MRSA and to treat them promptly when they occur.

Residential Care Services

81. **Deputy Michael D. Higgins** asked the Minister for Health and Children the position regarding step-down beds being made available in the major urban centres in order that patients in acute hospitals who are ready to be discharged to such beds can be transferred and thereby relieve pressure on acute beds and the emergency departments; and if she will make a statement on the matter. [34677/10]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): I understand that the Deputy is referring to all step-down beds, including those designated for short-term and long-term residential care. The HSE provides significant short-term care, including over 750 designated respite care beds benefiting an estimated 19,000 people. It also provides in excess of 1,000 dedicated rehabilitative, convalescence and assessment beds within its own facilities. At present, the HSE is working to reconfigure services within its own facilities to ensure that the best possible use is made of public resources with regard to the provision of both long-term and short-term residential care services. In addition, the Department of Social Protection provides a respite care grant which may be used to purchase short-term care in private nursing homes.

With regard to long-term care, the introduction of the Nursing Homes Support Scheme in October 2009 means that long-term nursing home care is accessible for all who need it. Previously, private nursing home care was unaffordable for many people and, in some cases, people

had to sell or re-mortgage their homes in order to fund their care placement. Under the new scheme, each person makes a contribution towards their care based on ability to pay and the State meets the full balance of the cost of care. Therefore, the introduction of the Nursing Homes Support Scheme has had the effect of ensuring that all nursing home beds, public and private, are affordable and accessible for those who need them; it has effectively increased affordable capacity.

It is notable that, of those ready for discharge from the acute sector, over 75% require long-term nursing home care. The positive impact of the Nursing Homes Support Scheme on discharges from the acute sector is evident. A comparison of data from August 2009 with data from August 2010 indicates that overall delayed discharges have reduced by 33%, or approximately 300 cases, nationally. Within the Dublin Academic Teaching Hospitals, the numbers discharged to long-term residential care each week have more than trebled over the same period.

Finally, the Government has also increased public nursing home capacity. Over the past four years, 385 additional beds and 292 replacement beds have opened nationally. Of these, 263 additional and 168 replacement beds were in Dublin and 37 additional beds were in Cork. Further additional and replacement beds are scheduled to open in the major urban centres before the end of this year.

Question No. 82 answered with Question No. 21.

Health Services

83. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children the action she will take to address the high level of general practitioner fees; and if she will make a statement on the matter. [34707/10]

Minister for Health and Children (Deputy Mary Harney): Consultation fees charged to private patients by general practitioners are a matter of private contract between the doctor and the patient. While I have no role in relation to such fees, I would expect general practitioners to have regard to the overall economic situation in setting their fees. My colleague the Minister for Enterprise, Trade and Innovation has also called on providers of professional services in the private sector to adjust their fees in line with the reductions in fees of those providing such services in the public sector. I should add that general practitioners who hold General Medical Services contracts with the Health Service Executive must not seek or accept money from medical card or GP visit card holders in respect of routine treatment.

Health Service Staff

84. **Deputy Liz McManus** asked the Minister for Health and Children the number of microbiologists in place per Health Service Executive region in view of the high level of hospital infections; and if she will make a statement on the matter. [34683/10]

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

85. **Deputy David Stanton** asked the Minister for Health and Children the number and location of positron emission tomography scanners; the number of same which are operational at present; the number of PET scans conducted and the locations at which they were carried

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out in 2008, 2009 and to date in 2010; the number of PET scans which were referred from the Health Service Executive south to hospitals in Dublin in 2008 and 2009 and to date in 2010; the total cost of same to the HSE south for each of these years; and if she will make a statement on the matter. [34786/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

Departmental Reports

86. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children if it is the case that she agreed with the Minister for Health (details supplied), Social Services and Public Safety in the Six Counties not to take forward or to publish the North — South feasibility report on cooperation in health; if so, the meeting or meetings at which she agreed not to take forward or publish this report; if her attention has been drawn to the fact that the Minister in the Assembly on 14 September 2010, presented this as a joint decision between him and the Minister; if the Minister will now publish the report and press for its implementation; and if she will make a statement on the matter. [34582/10]

Minister for Health and Children (Deputy Mary Harney): In 2007, both Health Departments agreed to undertake a Feasibility Study on the potential for future cooperation. A Project Board representative of the Department of Health, Social Services and Public Safety (NI), the Department of Health and Children, the Health Service Executive, and Cooperation And Working Together (CAWT) was established to oversee the Study. The Study examined the potential for joint co-operation in health across an extensive range of health and social care services and makes a number of recommendations for future cooperation. The Study was conducted jointly and it was agreed would constitute a report to the two Ministers. Any action arising, including a decision to formally publish the Report, requires the agreement of both parties.

The Study was completed in 2009 and was presented to Ministers in April that year. While I have indicated my approval for the Study's recommendations, in a discussion with the Minister for Health, Social Services and Public Safety in Northern Ireland in June this year, he informed me that he was not satisfied to endorse the Study. However, it would be wrong to assume that the non-publication of this Study implies that there is no cooperation on health matters. Cross Border working on health has existed for many years and both Departments continue to collaborate on a wide range of health and social care issues. Currently, some of these issues include Radiotherapy Services, Paediatric Congenital Cardiac Services, Emergency Planning, Child Protection, Health Promotion, Cancer Research and Suicide Prevention. Both Health Ministers meet regularly under the auspices of the North South Ministerial Council and continually review the existing arrangements for cooperation and explore other areas for collaboration where mutual benefit for both populations is demonstrated.

Question No. 87 answered with Question No. 18.

Hospital Services

88. **Deputy Michael D. Higgins** asked the Minister for Health and Children the number of hospital beds that have now been removed from the overall bed numbers per Health Service Executive region; and if she will make a statement on the matter. [34676/10]

Minister for Health and Children (Deputy Mary Harney): As the detailed information sought by the Deputy on the number of acute hospital beds available in each region is a service matter, this question has been referred to the HSE for direct reply.

Unemployment Levels

89. **Deputy Michael McGrath** asked the Taoiseach his views on the most accurate measure of unemployment in the State with reference to the live register and the Central Statistics Office quarterly national household survey; and if he will make a statement on the matter. [35011/10]

Minister of State at the Department of the Taoiseach (Deputy John Curran): The official source of unemployment estimates for the state is the Quarterly National Household Survey (QNHS). Estimates from the QNHS are based on internationally recognised standards for the measurement of the labour market status of individuals. These standards were developed by the International Labour Office (ILO) and allow comparison of key indicators in relation to the labour market for different countries. They also ensure that the measurement of unemployment is done on a consistent basis over time and thus an accurate trend is presented. Within the ILO framework a person is regarded as unemployed if they have not undertaken any paid work in the reference period and are actively seeking employment. This manner of measurement is designed specifically to identify that the person is unemployed according to a clear definition.

On the other hand the Live Register is not designed to measure unemployment as it legitimately includes part-time workers (those who work up to three days a week), seasonal and casual workers entitled to Jobseekers Benefit or Allowance. As the Live Register is based on an administrative system it is also subject to changes in the rules surrounding the system, for example if the rules for entitlement to benefits change over time this will cause a break in series and create difficulties in interpreting the longer term trend. Therefore the estimate of unemployment from the QNHS must be taken as the accurate measure of unemployment for the state. This issue has previously been the subject of detailed discussion in the Public Accounts Committee (PAC) in 1998.

However, while the overall level differs significantly between the two sources there has over time been a broad correlation in the trends between the two measures. Therefore each month the CSO publishes a standardised unemployment rate (SUR) which utilises the trend in the number of persons on the live register to update the total number of unemployed persons as measured by the most recent QNHS and thus generate the SUR. This is done to provide an early indication of the unemployment rate given that the live register numbers are available significantly earlier than QNHS estimates for any given period. However, the estimated SUR produced in this manner is subject to revision once official QNHS estimates are available.

EU Directives

90. **Deputy Jim O’Keeffe** asked the Taoiseach the number of EU directives awaiting transposition into law in his Department; the reasons for the delays; and the reaction of the EU Commission in each case to such delays. [34939/10]

The Taoiseach: The Department of the Taoiseach has no Directives awaiting transposition.

Departmental Staff

91. **Deputy Lucinda Creighton** asked the Taoiseach the role of the better regulation unit in

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his Department; the number of staff working in the unit in each of the years 2004 to 2010 inclusive; the unit's spending in each of those years; the progress made on the implementation of the 2004 regulating better government White Paper; and if he will make a statement on the matter. [35022/10]

The Taoiseach: In 2004, the Government published the White Paper, '*Regulating Better*'. The White Paper provides the basis for work on the Better Regulation agenda. Some of the key areas outlined in the White Paper relate to specific sectoral issues for which responsible Ministers report directly to the House. The Better Regulation Unit in my Department is tasked with the overall promotion of the Better Regulation agenda across Departments and there has been considerable progress in the areas for which it is responsible in recent years.

Following a Government Decision in June 2005, Regulatory Impact Analysis (RIA) must be applied to all proposals for primary legislation, significant Statutory Instruments, draft EU Directives and significant EU Regulations. RIA is a tool which is used to assess the likely effects of a proposed new regulation or regulatory change in a structured and transparent way. An independent Review of the Operation of RIA was commissioned by the Better Regulation Unit and was published in June 2008. It acknowledged that good progress had been made in embedding the process since its original introduction but also highlighted some areas where change was needed.

Arising from the Review's recommendations, Revised RIA Guidelines were published by the Better Regulation Unit last year which take account, in particular, of the need for improved quantitative analysis and for the increased use of RIA to evaluate draft EU legislative proposals. Following consultation with the Department of Enterprise, Trade and Innovation, specific information was also included in the revised Guidelines on the measurement of compliance and administrative costs on business.

The Better Regulation Unit organises and directly delivers a training course on RIA for officials who will be preparing legislation. Some 320 officials have undertaken the 2 day RIA training course to date with a further course scheduled for later this month. The course content was re-configured in 2009 to take account of the findings of the independent Review and is available not only to Departmental officials but also to individuals working in independent regulators. The course also takes account of the Guidelines on Consultation which were published by the Better Regulation Unit in 2005. The Better Regulation Unit also delivers shorter RIA modules and offer an on-line RIA training tool to ensure the maximum possible number of officials are reached.

The Better Regulation Unit has, together with the Office of the Attorney General, steered and focused work in the area of modernisation of the Statute Book. This work is designed to increase the transparency and accessibility of the Statute Book for the citizen. The Statute Law Revision Project has helped to clear away thousands of redundant and obsolete Acts so that we can see what needs to be repealed and re-enacted in modern, consolidated form. Almost 3,500 obsolete, pre-1922, Acts have already been repealed by the Statute Law Revision Acts of 2005 and 2007.

The Statute Law Revision Act 2009 was signed by the President in December of last year. This Act deals specifically with Local and Personal Acts up to and including the year 1850 and Private Acts up to and including the year 1750. Private Acts are those which are concerned with the affairs of a single individual or body, and Local and Personal Acts are concerned with matters affecting a very limited section of the community such as a single local authority or

company. The Act provides for the express repeal of more than 1,350 such Acts. This is in addition to the almost 3,500 Public and General Acts which were already repealed by the Statute Law Revision Acts of 2005 and 2007.

A further element of the Better Regulation Strategy to simplify legislation is the programme of Statute Law Restatement. This is being undertaken by the Law Reform Commission and provides, in the case of selected Acts, a single, up-to-date text, including all amendments. The Acts to be restated as part of the programme were selected following an extensive consultation process and reflect Government priorities. This process of Restatement will also facilitate future consolidation and modernisation of legislation. Significant improvements have also been made to the Online Statute Book in recent years. In addition, a dedicated electronic system for drafting Statutory Instruments has been developed by the Better Regulation Unit and is now managed by the Publications Office. This system ensures that regulations are made available for online publication as soon as they are signed. Furthermore, the Better Regulation Unit produced the first comprehensive listing of all Regulatory Bodies in Ireland in 2007.

The Better Regulation Unit commissioned the Economist Intelligence Unit (EIU) in partnership with Compecon to carry out an independent Review of the Economic Regulatory Environment. This was published together with a Government Statement on Economic Regulation in October 2009. This Statement provides a framework for the future development of economic regulation in Ireland and covers issues such as governance and accountability; the appropriateness of regulatory structures and mandates; cost effectiveness and engagement with stakeholders. It commits relevant Ministers to reviewing the roles and mandates of regulators at least every five years and they will also have to approve planned expenditure by regulators, including any industry levies, following consultation with stakeholders. The Senior Officials Group on Economic Regulation, supported by the Better Regulation Unit, is tasked with the implementation of the actions set out in the Government Statement.

In line with the commitment in the Government Statement to initiate an Annual Regulatory Forum, I, together with the Tánaiste and other relevant Ministers met with key regulators, the Competition Authority and the National Consumer Agency at the end of February to discuss the implementation of the Government Statement and the contribution that improved competition and regulation across sectors can make to economic recovery and renewal. Arising from these discussions, it was decided that a Regulatory Liaison Group involving senior Departmental officials and key regulators would meet regularly to progress key issues and that the Better Regulation Unit would act as secretariat to the Group. In this context, relevant Departments are currently working with regulators to “stress-test” regulatory frameworks to ensure that they are sufficiently robust to be able to respond to major shocks and changes in their sectors and in the wider economy. It is expected that Government will receive a report on these exercises before the end of the year.

The OECD are currently conducting a review of Ireland’s regulatory systems and processes. The Review is being conducted as part of a set of similar reviews covering the original 15 EU Member States which is being funded by the EU Commission and covers issues such as Regulatory Impact Analysis as well as Administrative Burden Reduction and approaches to enforcement which are overseen by the Minister for Enterprise, Trade and Innovation. The Better Regulation Unit is co-ordinating Irish Government input into the Review and it is expected that the report will be completed later this year.

The Better Regulation Unit also represents Ireland at the EU High Level Group of Regulatory Experts, at Directors of Better Regulation meetings and at the OECD Regulatory Policy

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Committee. The number of staff working in the Better Regulation Unit in each of the years 2004 to 2010 and the Unit's spending in each of those years is set out in the following table:

Year	Number of staff*	Better Regulation Unit Spending**
		€
2004	$\frac{1}{2}$ Principal Officer (PO) 1 Assistant Principal (AP) 2 Administrative Officers (AO) 1 Clerical Officer (CO)	105,539
2005	$\frac{1}{2}$ PO, 1 AP, 1 AO, 1 CO	197,749
2006	$\frac{1}{2}$ PO, 2 APs, 2 AOs, 1 CO	267,164
2007	$\frac{1}{2}$ PO, 2 APs, 2 AOs, 1 CO	154,365
2008	$\frac{1}{2}$ PO, 1 AP, 1 AO, 1 CO	521,970
2009	$\frac{1}{2}$ PO, 1 AP, 1 AO, 1 CO	42,809
2010	$\frac{1}{2}$ PO, 1 AP, 1 AO, 1 CO	***21,685

*These figures represent staff numbers at the start of each year.

**These figures exclude staff costs and include costs of commissioning and publishing independent reviews and reports, RIA training, as well as economic consultancy for RIA and travel and subsistence in support of EU and OECD meetings.

***This figure represents the amount spent by the Better Regulation Unit between January and August 2010.

FÁS Training Programmes

92. **Deputy Phil Hogan** asked the Tánaiste and Minister for Education and Skills the steps she will take with FÁS in respect of funding for apprenticeship jockeys that was reduced substantially which has put the racing academy in some financial difficulty; and if she will make a statement on the matter. [34452/10]

Minister of State at the Department of Education and Skills (Deputy Seán Haughey): Following a meeting on 28 September between FÁS, Horse Racing Ireland, Racing Academy and Centre of Education and Kildare VEC, the training referred to by the Deputy is scheduled to commence on 6 October. A longer term review of the training programme will be carried out by all stake holders with a view to its completion by the end of 2010.

EU Funding

93. **Deputy Terence Flanagan** asked the Tánaiste and Minister for Education and Skills if she will deal with the following matter (details supplied); and if she will make a statement on the matter. [34951/10]

Minister of State at the Department of Education and Skills (Deputy Seán Haughey): The application made by the Department seeking co-financing under the European Globalisation Adjustment Fund in support of redundant workers formerly employed at the S R Technics aircraft maintenance facility at Dublin Airport details, as required, the relevant supporting measures in the areas of occupational guidance, training, apprenticeship, educational opportunities and enterprise supports. A copy of the application will be supplied to the Deputy.

Schools Building Projects

94. **Deputy Seán Sherlock** asked the Tánaiste and Minister for Education and Skills the position regarding an application for a new school building (details supplied) in County Cork; and if she will make a statement on the matter. [34442/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The school to which the Deputy refers has applied to my Department for capital funding for a new school. The application has been assessed in accordance with published prioritisation criteria for large scale projects and assigned a band 2 rating. Information in respect of the current school building programme along with all assessed applications for major capital works, including the project referred to by the Deputy, is available on the Department's website at www.education.ie.

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 the Department's website. The progression of all large scale building projects, including this project, from initial design stage through to construction will be considered in the context of the school building and modernisation programme. However, in view of the level of demand on the Department's capital budget, it is not possible to give an indicative timeframe for the progression of the project at this time.

Special Educational Needs

95. **Deputy Charles Flanagan** asked the Tánaiste and Minister for Education and Skills the steps in place to help discover cases of dyslexia in primary schools; if a national test will be undertaken in order to assess the extent of the condition; and if she will make a statement on the matter. [34460/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): As the Deputy is aware, a key focus and priority of my Department is to provide for resources in schools to support pupils with special educational needs, including those with dyslexia. For mainstream primary schools, this is done through the General Allocation Model. This model was introduced in September 2005 and ensures that mainstream primary schools have the additional teaching resources already in place to enable them cater for children with high-incidence special educational needs, including dyslexia.

It is a matter for the individual school to use its professional judgement to identify pupils that will receive this support and to use the resources available to the school to intervene at the appropriate level with such pupils. My Department issued a comprehensive circular, SP ED 02/05, to schools to provide guidelines and advice on the manner in which they should use the resources that have been allocated to them to best effect.

My Department issued Circular 0138/2006 to all schools in 2006 setting out the requirement for mandatory standardised testing in English, Reading and Mathematics. From the beginning of 2007, testing has been implemented on an annual basis for all pupils at two stages of the primary cycle, supported by an annual grant to schools of the order of €1.8m annually for the cost of test materials, manuals, test scoring services or test related software. There is widespread acceptance of the value of standardised testing as one of a range of modes of assessment that help teachers to make more informed decisions in relation to teaching and learning. The results of standardised tests can be used to inform parents of pupils' progress and to assist in the identification of pupils that may require support.

In common with many other psychological services and best international practice, my Department, through the National Educational Psychological Service (NEPS), encourages a staged assessment process, a continuum of assessment to identify pupils with special educational needs, including dyslexia. Under this process each school takes responsibility for initial assess-

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ment, educational planning and learning support, in consultation with their assigned NEPS psychologist. Only if there is a failure to make reasonable progress in spite of the school's best efforts, will a child be referred for individual psychological assessment. This system allows the psychologists to give early attention to urgent cases and also to help many more children indirectly than could be seen individually. It also ensures that children are not referred unnecessarily for psychological intervention. The staged model recognises that pupils present with a wide range of issues and difficulties and allows for their amelioration and intervention at the level most appropriate to the particular need.

The Deputy may also be aware that my Department supports teachers with additional training needs in the area of dyslexia. The Special Education Support Service (SESS) manages, coordinates and develops a range of supports in response to identified teacher training needs. The SESS provides fees' subsidies for the online training course, "Dyslexia: Identification and Early Interventions". Fees' subsidies are also provided for teachers to enable them to avail of the Dyslexia Association of Ireland courses.

Finally, my Department has developed an information resource pack on dyslexia in CD-Rom, DVD and video format, in association with the Department of Education in Northern Ireland. This product has been made available to all primary and post-primary schools. The DVD and video provides support for parents of pupils with dyslexia while the CD-Rom assists teachers who are teaching children with dyslexia in the mainstream classroom.

Schools Building Projects

96. **Deputy Seán Sherlock** asked the Tánaiste and Minister for Education and Skills the progress that has been made on an application for funding under the capital works programme by a school (details supplied) in County Cork; and if she will make a statement on the matter. [34471/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The school to which the Deputy refers has applied to my Department for capital funding for a new school building. The application has been assessed in accordance with published prioritisation criteria for large scale projects and assigned a band 2 rating. Information in respect of the current school building programme along with all assessed applications for major capital works, including the project referred to by the Deputy, is available on the Department's website at www.education.ie.

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 the Department's website. The progression of all large scale building projects, including this project, from initial design stage through to construction will be considered in the context of the school building and modernisation programme. However, in view of the level of demand on the Department's capital budget, it is not possible to give an indicative timeframe for the progression of the project at this time. In 2009, funding was approved for the school to construct an additional mainstream classroom due to increasing enrolments and to meet their immediate needs.

97. **Deputy Seán Sherlock** asked the Tánaiste and Minister for Education and Skills the progress that has been made on an application for funding for the provision of a new school (details supplied) in County Cork; and if she will make a statement on the matter. [34472/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): I can confirm that the school to which the Deputy refers has made an application to my Department for a new school building. The application was assessed in accordance with the published prioritisation criteria for large scale building projects and assigned a band 1.1 rating.

In 2007, a developer proposed transferring a site to my Department. My officials carried out a technical examination of the site and subsequently wrote to the developer requesting contract documents. On foot of a request to the developer as to the status of the original offer, my Department was advised that the site is secured with a lending institution and as such is unlikely to be transferred to my Department as originally proposed. With this in mind my Department has engaged in the process of acquiring an alternative site and to this end has applied for planning permission as part of the exchange of contracts. When the acquisition of a suitable site is concluded, the proposed building project will be considered in the context of the capital budget available to my Department for school buildings generally.

98. **Deputy Seán Sherlock** asked the Tánaiste and Minister for Education and Skills the progress that has been made on an application for funding under the capital works programme by a school (details supplied) in County Cork; and if she will make a statement on the matter. [34473/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The school to which the Deputy refers has applied to my Department for capital funding for a new school. The application has been assessed in accordance with published prioritisation criteria for large scale projects and assigned a band 2 rating. Information in respect of the current school building programme along with all assessed applications for major capital works, including the project referred to by the Deputy, is available on the Department's website at www.education.ie.

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 the Department's website. The progression of all large scale building projects, including this project, from initial design stage through to construction will be considered in the context of the school building and modernisation programme. However, in view of the level of demand on the Department's capital budget, it is not possible to give an indicative timeframe for the progression of the project at this time.

99. **Deputy Seán Sherlock** asked the Tánaiste and Minister for Education and Skills the progress that has been made on an application for funding for a new school building (details supplied) in County Cork; and if she will make a statement on the matter. [34474/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The school to which the Deputy refers has applied to my Department for capital funding for a new school. The application has been assessed in accordance with published prioritisation criteria for large scale projects and assigned a band 2 rating. Information in respect of the current school building programme along with all assessed applications for major capital works, including the project referred to by the Deputy, is available on the Department's website at www.education.ie.

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 the Department's website.

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The progression of all large scale building projects, including this project, from initial design stage through to construction will be considered in the context of the school building and modernisation programme. However, in view of the level of demand on the Department's capital budget, it is not possible to give an indicative timeframe for the progression of the project at this time.

Schools Refurbishment

100. **Deputy Michael McGrath** asked the Tánaiste and Minister for Education and Skills the position regarding the availability of funding for works to a primary school (details supplied) in County Cork. [34488/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The school referred to by the Deputy was allocated a devolved grant in June 2009 to replace two prefab classrooms and a resource room. The grant was increased in November 2009 to allow for the provision of two additional mainstream classrooms. The school management authorities were advised that they could utilise this grant to purchase prefab accommodation or to build a permanent structure. I understand that the school authorities have decided to provide a permanent structure. The school authorities have informed my Department that construction is due to commence in November of this year.

Site Acquisitions

101. **Deputy Michael McGrath** asked the Tánaiste and Minister for Education and Skills the position regarding the acquisition of a site to facilitate the construction of a primary school (details supplied) in County Cork. [34489/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The Office of Public Works (OPW) has been requested to identify a suitable site for the school referred to by the Deputy. On foot of a recommendation from the OPW, my officials will consider how best to progress the acquisition of a suitable site. Once a suitable site is acquired, the proposed building project for the school will be considered in the context of the capital budget available to my Department for school buildings generally.

School Accommodation

102. **Deputy Seán Sherlock** asked the Tánaiste and Minister for Education and Skills if her attention has been drawn to the demographic pressures that exist in Midleton, County Cork regarding the provision of primary school education and, if so, if a plan has been drawn up by the Department to address this problem; and if she will make a statement on the matter. [34490/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The Forward Planning Section of my Department has carried out a study of the country to identify the areas where, due to demographic changes, there may be a requirement for significant additional school provision at both primary and post-primary levels over the coming years. This study has been conducted using data from the Central Statistics Office, the General Register Office and the Department of Social Protection and with reference to recent schools' enrolment data. School accommodation requirements in the Midleton/Carrigtwohill area have been considered as part of this detailed study of the identified areas, which indicates that in the range of 38 additional primary classrooms may be required across that area to cater for increased enrolments up to the school year 2014/15.

My Department is considering options to meet the deficit identified. As part of this approach, as the Deputy will be aware, my Department is engaged in the process of acquiring a site subject to planning for a proposed educational campus of two 16 classroom schools. 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 the 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.

Schools Refurbishment

103. **Deputy Phil Hogan** asked the Tánaiste and Minister for Education and Skills if she will provide additional funding for a school (details supplied) in County Tipperary to complete an essential fire safety and central heating upgrade; and if she will make a statement on the matter. [34501/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The school in question has been allocated a grant for Fire Safety and Central Heating Upgrade under the Emergency Works Grant. The Department is satisfied that the grant provided is sufficient to address the urgent requirements at the school. It is open to the School Authority to apply under the next round of Summer Works Grants for funding to undertake further works to the school.

104. **Deputy Dan Neville** asked the Tánaiste and Minister for Education and Skills the position regarding the availability of funding to a school (details supplied) in County Limerick as per their application for devolved grant; and if she will make a statement on the matter. [34508/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): I can confirm that the school to which the Deputy refers recently wrote to my Department seeking a devolved grant to provide additional accommodation at the school as an alternative to their application for major capital funding. The application is currently being considered by officials in my Department in the context of the Department's multi-annual School Building and Modernisation Programme and the competing demands on my Department's capital budget and a decision on the matter will be conveyed to the school authority in due course.

FÁS Training Programmes

105. **Deputy Arthur Morgan** asked the Tánaiste and Minister for Education and Skills the number of courses provided in the FÁS centre at a location (details supplied) in County Donegal; the courses provided within the centre and those that are outsourced; the number of participants availing of the courses; and to provide the same information for the years 2007, 2008 and 2009. [34527/10]

108. **Deputy Arthur Morgan** asked the Tánaiste and Minister for Education and Skills the number of persons availing of training in the FÁS centre (details supplied) in County Donegal for the years 2007, 2008, 2009 and to date in 2010; and for this information to be broken down into those courses provided within the centre and those that are outsourced. [34563/10]

Minister of State at the Department of Education and Skills (Deputy Seán Haughey): I propose to take Questions Nos. 105 and 108 together.

The information requested by the Deputy is set out in the enclosed tables. Table 1 sets out the type of courses offered from 2007 to date — both at the training centre in Gweedore and on a contracted basis through the training centre. FÁS statistics on the total number of trainees

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are collated on the basis of those participants who completed their course. Table 2 sets out the total number of participants who have completed training courses at or through Gweedore in 2007, 2008, 2009 and in 2010 as at the end of September. Table 3 sets out the total number of courses delivered at or through Gweedore in 2007, 2008, 2009 and 2010 as at the end of September.

Table 1

Contracted Courses	
Training Measure	Course
Return to Work	Pre-Employment Preparation
Bridging/Foundation	ECDL (Full-Time) ECDL (Part-Time)
Specific Skills Training	Traditional Stonebuilding Computer Applications Kerbing and Paving Landscape Construction Manual and Computerised Accounts Computerised Payroll
Traineeships	Childcare Beauty Therapy Healthcare Childcare Phase 1 and 2 Childcare Phase 3 Healthcare Phase 1 and 2 Beauty Therapy Phase 2
In-Centre Courses	
Specific Skills Training	Construction Skills Computer Applications Manual and Computerised Payroll
Apprenticeship	Electrical Plumbing Carpentry & Joinery
Evening Training	Interior Design Computerised Accounts Introduction to Computers Basic Plumbing Arc Welding Mig Welding Occupational First Aid Roofing Cutting and Calculating Introduction to Stonescaping Safepass

Table 2

Year	No of Trainee Completions	
	Contracted	In-Centre
2007	67	87
2008	51	113
2009	183	223
2010 (as at end of September 2010)	225	137

Table 3

Year	Total number of courses delivered	
	Contracted	In-Centre
2007	5	6
2008	4	8
2009	12	23
2010 (as at end of September)	14	12

Schools Building Projects

106. **Deputy Charlie O'Connor** asked the Tánaiste and Minister for Education and Skills the position regarding her Department's dealings with a school (details supplied) in Dublin 24; will she note the concern of the school community regarding outstanding issues relating to the Building Programme; the action she will take to ensure that all these matters are now concluded to the satisfaction of the school community; and if she will make a statement on the matter. [34549/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): My Department is aware of the difficulties that have arisen between the school in question, the building contractor and the Consultant Architect that has resulted in delaying the satisfactory conclusion of this project. The bulk of the funding due for payment under the terms of the contract between the school and the contractor for this project has issued to the school on foot of appropriate certification that certain works have been completed. This is a normal requirement before funding can be provided in relation to school projects.

The dismissal of the Consultant Architect by the school has created difficulties in relation to final certification of the satisfactory completion of the project and, consequently, payment of the balance of funding due. Officials from my Department have visited the school and my Department will be in contact with the school management authorities again shortly to invite them to a meeting to discuss the ongoing difficulties.

Schools Refurbishment

107. **Deputy Charlie O'Connor** asked the Tánaiste and Minister for Education and Skills the position regarding the funding required for roof works at a school (details supplied) in Dublin 24; and if she will make a statement on the matter. [34554/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): An application for funding under Emergency Works was submitted by the school in question. However, following an assessment of the application and in light of the nature of the works involved it is not

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possible to provide funding at this time. It is open to the school authority to submit an application for these works under the next round of the Summer Works Scheme.

Question No. 108 answered with Question No. 105.

109. **Deputy Tom Hayes** asked the Tánaiste and Minister for Education and Skills if she will consider the case of a school (details supplied) in County Tipperary. [34566/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The school in question has been allocated grant aid for Fire Safety and Central Heating Upgrade under the Emergency Works Grant. The Department is satisfied that this grant is sufficient to address the urgent requirements at the school. It is open to the School Authority to apply under the next round of Summer Works Grants for grant aid towards works to the school.

Higher Education Grants

110. **Deputy James Bannon** asked the Tánaiste and Minister for Education and Skills the position regarding the eligibility for a third level grant for new entrants in respect of a person (details supplied) in County Longford; and if she will make a statement on the matter. [34583/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): It is understood that the Deputy is referring to the change in the residency requirement in student grant schemes for the 2010/11 academic year, which was increased from one year to three out of the past five years for the student. This amendment is in line with provisions already outlined in the Student Support Bill. The main purpose of the change is to ensure that persons applying for grants will have more established links with and integration in the State. However, it is envisaged that this change will, in many instances, provide greater flexibility for students who may be returning from abroad.

The residency requirement must be met by the student him/herself in all cases and is no longer linked to the residency of the parent/legal guardian for certain categories of students. However, a candidate may qualify for a grant, having met the residency requirement during the course of their studies. It is a matter for individual grant awarding authorities, in the first instance, to determine eligibility for student grants based on all of the terms and conditions, including the residency clause, of the governing schemes. An applicant may appeal the decision to the relevant local authority or VEC. Where the assessing authority decides to reject the appeal, the applicant may appeal this decision to my Department by submitting an appeal form outlining clearly the specific grounds for the appeal.

Site Acquisitions

111. **Deputy Ciarán Lynch** asked the Tánaiste and Minister for Education and Skills if contracts have been signed for the purchase of a site for the construction of a school (details supplied) in County Cork; the special conditions, if any, that apply; if funding is available and the basis of same; the timescale that applies; and if she will make a statement on the matter. [34593/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): I wish to advise the Deputy that County Cork Vocational Education Committee signed contracts earlier this year for the purchase of a site to provide for an educational campus facility to cater for, among other things, the re-location of the Gaelscoil referred to by the Deputy. My Department was

not a party to the contract negotiations or to any special conditions agreed. The progression of the building element of this proposal will be considered in the context of the capital budget available to my Department for school buildings generally.

School Transport

112. **Deputy Michael Ring** asked the Tánaiste and Minister for Education and Skills the outcome of her inquiries in regard to the school transport situation for pupils (details supplied) in County Mayo. [34606/10]

Minister of State at the Department of Education and Skills (Deputy Seán Haughey): Under the terms of the Primary School Transport Scheme, only eligible children qualify for free transport. In order to be eligible, children must live at least 3.2 kilometres from, and be attending, their nearest national school. Bus Éireann operates the school transport services on behalf of my Department. This is a major logistical operation which involves the planning of over 6,000 bus routes annually to ensure that, as far as possible, eligible pupils have a reasonable level of service while, at the same time, ensuring that school transport vehicles are fully utilised in an efficient and effective manner.

The designation of specific school bus pick-up and drop off points is an operational matter for Bus Éireann. Parents and guardians have a responsibility to ensure that children are brought to, and are collected safely from, these designated pick up and drop off points along the route of the journey.

Schools Building Projects

113. **Deputy James Bannon** asked the Tánaiste and Minister for Education and Skills the position regarding the proposed new national school (details supplied) for Stonepark, County Longford; and if she will make a statement on the matter. [34795/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The school to which the Deputy refers has applied to my Department for capital funding for an extension. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and assigned a Band 1 rating. There are four band ratings under the prioritisation 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.

Information in respect of the current school building programme along with all assessed applications for major capital works, including this project, is available on the Department's website at www.education.ie. 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 the Department's multi-annual School Building and Modernisation Programme. However, in light of current competing demands on the Department's capital budget, it is not possible to give an indicative timeframe for the progression of a project at the school in question at this time.

Meanwhile, in order to meet the school's immediate accommodation needs, I am pleased to inform the Deputy that the school was approved capital funding in March 2010 on a devolved basis to provide an additional mainstream classroom and three resource rooms. It was open to the school to utilise the funding towards a permanent structure or to purchase prefabs. I understand that the school has since purchased prefabs and that works are currently in progress to place the accommodation on site.

Higher Education Grants

114. **Deputy James Bannon** asked the Tánaiste and Minister for Education and Skills the reason a person (details supplied) in County Longford has been refused a third level grant or waiver of registration fees; and if she will make a statement on the matter. [34796/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The decision on eligibility for a student grant is a matter, in the first instance, for the relevant assessing authority, i.e. the applicant's local authority or VEC. An applicant may appeal the decision to the relevant local authority or VEC. Where the assessing authority decides to reject the appeal, the applicant may appeal this decision to my Department by submitting an appeal form outlining clearly the specific grounds for the appeal. No appeal has been received by my Department to date from the candidate referred to by the Deputy.

115. **Deputy James Bannon** asked the Tánaiste and Minister for Education and Skills the position regarding an application for a third level grant in respect of a person (details supplied) in County Longford; and if she will make a statement on the matter. [34800/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The decision on eligibility for a student grant is a matter, in the first instance, for the relevant assessing authority, i.e. the applicant's local authority or VEC. An applicant may appeal the decision to the relevant local authority or VEC. Where the assessing authority decides to reject the appeal, the applicant may appeal this decision to my Department by submitting an appeal form outlining clearly the grounds for the appeal. No appeal has been received by my Department to date from the candidate referred to by the Deputy.

Special Educational Needs

116. **Deputy Jack Wall** asked the Tánaiste and Minister for Education and Skills the position regarding a special needs assistant application in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [34801/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): As the Deputy will be aware, the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs), for allocating resource teachers and Special Needs Assistants (SNAs) to schools to support children with special educational needs. The NCSE operates within my Department's criteria in allocating such support. I have arranged for the details supplied to be forwarded to the NCSE for their attention and direct reply. All schools have the names and contact details of their local SENOs. Parents may also contact their local SENOs directly to discuss their child's special educational needs, using the contact details available on www.ncse.ie.

Third Level Courses

117. **Deputy Mary Upton** asked the Tánaiste and Minister for Education and Skills if she will provide free university places for the long-term unemployed to allow them to retrain and re-enter the workforce; and if she will make a statement on the matter. [34815/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): All full-time approved higher education undergraduate programmes covered by the free fees scheme are open to unemployed people. All such people undertaking these programmes may be eligible to participate in the Back to Education Allowance (BTEA) Scheme administered by the Department of Social Protection or be eligible for support under this Department's

Student Grant Scheme. Further information is available on the Student Finance website: www.studentfinance.ie.

In addition, since early 2009, a number of specific initiatives to facilitate unemployed people to access flexible higher education programmes have been undertaken. Almost 1,800 unemployed people were supported to embark on part-time undergraduate and postgraduate programmes from September 2009 in areas that support the goals of the “Smart Economy” and over 1,000 unemployed people participated in a range of newly developed accelerated Level 6 Certificate programmes and part-time transition programmes.

The Labour Market Activation Fund (LMAF), which I launched in March of this year, is designed to assist in the creation of innovative training and education provision by private, not-for-profit and public sector providers. It is targeted at specific priority groups among the unemployed, namely the low skilled and those formerly employed in declining sectors — construction, retail and manufacturing sectors — with particular emphasis on the under 35s and the long-term unemployed. More than 2,000 places have been made available in 12 higher education institutions under the 2010 LMAF. The further development of labour market activation initiatives in the higher education sector is under consideration in the context of 2011 budget proposals

Schools Building Projects

118. **Deputy Finian McGrath** asked the Tánaiste and Minister for Education and Skills if she will support a matter (details supplied). [34838/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): As part of the expansion of the Permanent Accommodation Scheme 2007, a grant was allocated to the school in question to enable the management authority provide 3 additional mainstream classrooms. As this is a devolved scheme it is a matter for the school authority to manage the project. I understand that some difficulties arose between the school authority, the design team and the contractor during the construction period. Officials in my Department met with the school authority in June 2010 and requested information on the project. The school management authority has recently provided some information to my Department and this is currently being reviewed.

School Transport

119. **Deputy Paul Kehoe** asked the Tánaiste and Minister for Education and Skills the reason a person (details supplied) was not granted a bus ticket and if assistance will be offered to them; and if she will make a statement on the matter. [34843/10]

Minister of State at the Department of Education and Skills (Deputy Seán Haughey): Under the terms of my Department’s Post Primary School Transport Scheme, a pupil is eligible for transport if s/he resides 4.8 kilometres or more from her/his local post primary education centre. The scheme is not designed to facilitate children who attend a post-primary centre outside of the catchment area in which they reside. However, children who are fully eligible for transport to the post-primary centre in the catchment area in which they reside, may apply for transport on a concessionary basis to a post-primary centre outside of their own catchment area — otherwise known as catchment boundary transport. These children can only be facilitated if spare seats are available on the bus after all other eligible children travelling to their local post-primary centre have been catered for. Such children have to make their own way to the nearest pick up point within that catchment area.

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The pupil mentioned by the Deputy, in the details supplied, is not eligible for school transport under the terms of the scheme outlined above. He should liaise with the local Bus Éireann office regarding the availability and cost of a ticket to avail of the mainline bus service referred to.

Schools Refurbishment

120. **Deputy John McGuinness** asked the Tánaiste and Minister for Education and Skills if additional funding will be provided for a school (details supplied) in County Tipperary to complete a fire safety and central heating upgrade; and if she will make a statement on the matter. [34850/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The school in question has been allocated grant aid for Fire Safety and Central Heating Upgrade under the Emergency Works Grant. The Department is satisfied that this grant is sufficient to address the urgent requirements at the school. It is open to the School Authority to apply under the next round of the Summer Works Scheme to undertake further work to the school.

Computerisation Programme

121. **Deputy Joe McHugh** asked the Tánaiste and Minister for Education and Skills if she will provide a breakdown of broadband connectivity of schools in County Donegal; the number of schools that have access to high speed broadband; the number of schools that have access to satellite connections; if she will categorise primary and post-primary schools; and if she will make a statement on the matter. [34875/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): There is a total of 206 schools in Co. Donegal connected through the schools broadband programme. The broadband connections are broken down as follows:

Post Primary

ADSL: 16;

Satellite: 1.

In addition 8 post-primary schools are taking part in the 100Mbit/s pilot project:

Primary

ADSL 129;

Wireless: 1;

Satellite: 51.

Official Engagements

122. **Deputy Joe McHugh** asked the Tánaiste and Minister for Education and Skills if she will report on her Department's engagement with a Minister (details supplied) from Northern Ireland; and if she will make a statement on the matter. [34876/10]

Minister of State at the Department of Education and Skills (Deputy Seán Haughey): Subsequent to the introduction of the Department's Post Primary Transport Scheme in 1967, pupils from adjacent counties in Northern Ireland who travelled across the Border to locations in

County Donegal were provided with school transport on a concessionary basis, provided they were otherwise eligible in terms of age and completion of primary education. These pupils make their own way to a pick-up point within this jurisdiction and pay the relevant charge.

The provision of concessionary transport under the general terms of the post primary scheme continues to be made available to the students referred to by the Deputy in the details supplied. Officials of both Departments have explored the number of children travelling between both jurisdictions to attend school and the extent to which school transport provision supports this. The exploration of the issues surrounding cross border school transport provision is continuing between officials from both Departments.

Higher Education Grants

123. **Deputy James Bannon** asked the Tánaiste and Minister for Education and Skills when a person (details supplied) in County Longford will be awarded their third level grant; and if she will make a statement on the matter. [34896/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The decision on eligibility for a student grant is a matter, in the first instance, for the relevant assessing authority, i.e. the applicant's local authority or VEC. An applicant may appeal the decision to the relevant local authority or VEC. Where the assessing authority decides to reject the appeal, the applicant may appeal this decision to my Department by submitting an appeal form outlining clearly the grounds for the appeal. No appeal has been received by my Department to date from the candidate referred to by the Deputy.

124. **Deputy James Bannon** asked the Tánaiste and Minister for Education and Skills the reason a person (details supplied) in County Longford has been deemed ineligible for a third level grant; and if she will make a statement on the matter. [34897/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The decision on eligibility for a student grant is a matter, in the first instance, for the relevant assessing authority, i.e. the applicant's local authority or VEC. An applicant may appeal the decision to the relevant local authority or VEC. Where the assessing authority decides to reject the appeal, the applicant may appeal this decision to my Department by submitting an appeal form outlining clearly the grounds for the appeal. No appeal has been received by my Department to date from the candidate referred to by the Deputy.

Special Educational Needs

125. **Deputy Jimmy Deenihan** asked the Tánaiste and Minister for Education and Skills if all students affected by dyslexia in second level schools are entitled to a laptop; the criteria necessary for qualification; and if she will make a statement on the matter. [34911/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): My Department provides for a scheme of grants towards the purchase of equipment for the use of students in second-level schools who have been diagnosed as having serious physical and/or communicative disabilities which make ordinary communication through speech and/or writing impossible for them. The purpose of the grant-aid is to provide such students with equipment of direct educational benefit to them. Examples of such equipment include computers, word processors, tape recorders, software, etc.

The scheme is driven by applications from schools on behalf of individual students, as and when specific needs present. Following the establishment of the National Council for Special

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Education (NCSE), all applications for assistive technology are submitted by school management to the Special Educational Needs Organiser (SENO) with assigned responsibility for the school. The SENO examines applications and makes a recommendation to my Department.

EU Directives

126. **Deputy Jim O’Keeffe** asked the Tánaiste and Minister for Education and Skills the number of EU directives awaiting transposition into law in her Department; the reasons for the delays; and the reaction of the EU Commission in each case to such delays. [34931/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): There are no EU Directives which require to be transposed into primary or secondary legislation by my Department.

Vocational Education Committees

127. **Deputy John Deasy** asked the Tánaiste and Minister for Education and Skills the reason for the delay in deciding on an application for incremental credits in respect of a person (details supplied) in County Waterford; when a decision will be made; and if she will make a statement on the matter. [34978/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The person to whom this question relates works with County Waterford VEC. I understand that the VEC has indicated to her that she would not be entitled to the incremental credit sought. I have received correspondence in relation to this person’s case and will arrange for a reply to be issued to her as soon as possible.

128. **Deputy John Deasy** asked the Tánaiste and Minister for Education and Skills the reason for the delay in deciding on an application for incremental credits in respect of a person (details supplied) in County Waterford; when a decision will be made; and if she will make a statement on the matter. [34979/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The person to whom the question relates was previously refused incremental credit on the basis that the scheme does not extend to the setting in which she is working. She subsequently sought to have this decision reconsidered by my Department. I have requested my officials to respond to this as soon as possible.

Site Acquisitions

129. **Deputy Michael McGrath** asked the Tánaiste and Minister for Education and Skills her plans to develop an education campus (details supplied) in County Cork; and the timeframe for its overall development and details of the process. [35008/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): I wish to advise the Deputy that the lands in question were acquired by the County Cork Vocational Education Committee with funding from my Department. The site will provide for an educational campus facility to cater for future demand at Post-Primary in the area referred to by the Deputy and to facilitate the proposed re-location of two existing schools, a Gaelscoil and a Special School. The progression of the building element of this proposal will be considered in the context of the capital budget available to my Department for school buildings generally.

Adult Education

130. **Deputy Willie Penrose** asked the Tánaiste and Minister for Education and Skills the position regarding the proposal concerning senior Traveller training centres, and the Government's intention regarding the continuation of these centres, which are extremely important in the overall educational context; and if she will make a statement on the matter. [35086/10]

Minister of State at the Department of Education and Skills (Deputy Seán Haughey): In relation to funding and resources for Traveller education overall, the 2006 Report and Recommendation for a Traveller Education Strategy recommended that Senior Traveller Training Centre (STTC) provision be reviewed. My Department then conducted a Value for Money Review of the Youthreach and STTC programmes. The Review was published in 2008 and recommended the phasing out of segregated STTC provision over the medium to long term and the mainstreaming of Traveller specific provision. As part of Budget 2009, STTC provision was reduced by 100 places to 984 places from September 2009 and as part of Budget 2010 was reduced by a further 300 places to 684 places, with effect from September 2010. My Department has advised VECs with regard to the implementation of this reduction.

I would like to highlight that all further education programmes have always been and continue to be open to Travellers. These include part-time programmes funded under the Adult Literacy and Community Education scheme and the Back to Education Initiative as well as full-time programmes such as Youthreach, Vocational Training Opportunities Scheme and the Post-Leaving Certificate programme. My Department is continuing to discuss issues around the integration of adult Travellers into further education provision with the Irish Vocational Education Association.

Tax Code

131. **Deputy Leo Varadkar** asked the Minister for Finance if an individual PAYE taxpayer who takes on an employee as a nanny, carer or *au pair* is responsible for making PAYE and PRSI payments for the employee; and if he will make a statement on the matter. [34534/10]

Minister for Finance (Deputy Brian Lenihan): I am informed by the Revenue Commissioners that in the case of domestic employments — which may include nannies, carers and au pairs — where the payments made to the employee are less than €40 per week, then, provided the employer has only one such employee, he or she need not register as an employer and there is no obligation on the employer to deduct PAYE, PRSI/health contributions or Income Levy from any payments. However, where the payments exceed this amount, then the employer has an obligation to register for PAYE purposes with the Revenue Commissioners and, where appropriate, deduct tax, PRSI/health contributions and Income Levy from any payments made to the employee and remit such deductions to the Collector General.

Banking Sector Regulation

132. **Deputy Lucinda Creighton** asked the Minister for Finance if his attention has been drawn to the situation in Iceland where a cross-party committee was set up to assess the role of certain Ministers in the country's economic collapse; if he would favour a similar process here; and if he will make a statement on the matter. [35025/10]

Minister for Finance (Deputy Brian Lenihan): The Government has already established a comprehensive framework of investigation into the issues that arose in the Irish banking sector, as set out by me in the Oireachtas on 19 January 2010. As the first stage of this process, two preliminary reports, prepared by international experts Mr. Klaus Regling and Mr. Max Watson

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and by the Governor of the Central Bank, and published in June 2010, provided a comprehensive and authoritative examination of the crisis in the banking sector in Ireland. These reports were laid before the Houses of the Oireachtas on 9 June and were comprehensively debated at the time. The Oireachtas Committee on Finance and the Public Service had two separate and lengthy engagements with the authors and subsequently with me to provide a comprehensive airing of the issues raised in the reports and to discuss the next steps. Arising from this, the terms of reference for a statutory commission of investigation were approved by the Oireachtas on 8 July 2010.

The Commission was formally established on 21 September 2010 by Government Order and I appointed Mr. Peter Nyberg as sole member of the Commission on 22 September 2010. The Commission will have six months to complete its report. The report of the Commission of Investigation will, when completed, be laid before the Oireachtas for further consideration as appropriate.

Separately, the Oireachtas agreed on 8 July 2010, to ask the Joint Committee on Finance and the Public Service to consider key policy lessons in relation to macroeconomic management arising from the report by Messrs Regling and Watson, “A preliminary report on the sources of Ireland’s banking crisis,” and to report on its findings by 4 November 2010. The Government is satisfied that this framework is fully transparent and comprehensive. It is intended that the report of the Commission of Investigation when completed will be laid before the Oireachtas for further consideration and action by an appropriate Oireachtas Committee.

133. **Deputy Seán Sherlock** asked the Minister for Finance the redress, if any, available to small and medium enterprises, sole traders, farm enterprises and new start-ups who have been turned down for credit over €250,000 from banks participating in the National Asset Management Agency scheme. [34468/10]

Minister for Finance (Deputy Brian Lenihan): S.I. No. 127 of 2010 which established the Credit Review Office fixed the upper limit for reviews at €250,000. When the S.I. was being prepared, it was considered desirable to set a limit to the amount of a credit facility which could be reviewed so that banks were not faced with unlimited exposure to review. The fact that borrowers seeking larger facilities will usually have a better relationship with their bankers and are less likely to face unreasonable refusals was also taken into account. The Mazars review found that the average value of formal applications fell from approximately €90,000 in June 2008 to approximately €60,000 in February 2009 and the threshold of €250,000 was chosen to cover the vast majority of applications.

It should be added that the limit is for the particular refusal of credit and is not an aggregate amount. For example, a business may seek a review of a refusal of a term loan of €80,000 even if it already has outstanding credit of €200,000. The Credit Review Office is keeping track of the queries it receives about refusals over the threshold and only a handful have been received to date. I understand that the Office has been in contact with the banks and that Bank of Ireland is willing to undertake internal reviews of credit refusals over the limit and AIB is currently considering the issue.

Tax Yield

134. **Deputy Pat Breen** asked the Minister for Finance the amount collected from the air travel tax to date in 2010; and if he will make a statement on the matter. [34482/10]

Minister for Finance (Deputy Brian Lenihan): I am informed by the Revenue Commissioners that up to the end of September 2010 the yield from the air travel tax received in 2010 is €78.4 million.

Schools Building Projects

135. **Deputy Róisín Shortall** asked the Minister for Finance the position regarding the agreement to accommodate a school (details supplied) in Dublin 11; the reason for the delay in formally allocating these premises and when the transfer will take place. [34496/10]

Minister of State at the Department of Finance (Deputy Martin Mansergh): The premises in question, formerly a detention centre, was vacated earlier this year by the Department of Justice and Law Reform. A number of bodies, including St. Paul's School, Finglas, have since expressed an interest in the premises. The Department of Education has just completed a technical assessment of part of the premises, in light of the requirements of St. Paul's. As this assessment is positive, the Commissioners will now proceed to finalise terms for a lease with the Department of Education.

Tax Code

136. **Deputy Pat Breen** asked the Minister for Finance if further legislation to give effect to the taxation changes is required following the passage of the Civil Partnership Bill 2009; and if he will make a statement on the matter. [34517/10]

Minister for Finance (Deputy Brian Lenihan): Same-sex couples who are registered for civil partnership will be treated the same as married couples under tax law. It is envisaged that the necessary changes to the Tax Acts will take place in the next Finance Bill.

Road Network

137. **Deputy Leo Varadkar** asked the Minister for Finance the position regarding works planned for the main road in the Phoenix Park which were promised to the finance committee during the Estimates meeting; and if he will make a statement on the matter. [34551/10]

Minister of State at the Department of Finance (Deputy Martin Mansergh): A Design Team has been appointed to progress and oversee this Project, which relates to the repair/reinstatement of the Chesterfield Avenue, the main road through the Phoenix Park, Dublin. The Design Team is advancing with the preparation of the necessary documentation to allow for the required formal tender process to be undertaken. A number of surveys critical to the finalisation of the tender specifications are currently underway along Chesterfield Avenue and the findings from these surveys are awaited and will be available shortly. The required tender process will then be undertaken without delay. While the final scope of works will determine the actual duration of the construction phase of this project, it is considered feasible at this point that works could be completed within the first half of 2011.

Job Creation

138. **Deputy Róisín Shortall** asked the Minister for Finance the estimated number of jobs so far created and the number projected to be created by the capital investment plan with a breakdown by year. [34657/10]

Minister for Finance (Deputy Brian Lenihan): Based on data provided by the implementing Departments and Agencies, a profile of estimated employment to be created or sustained through the public capital programme is provided on page 107 of the Infrastructure Investment

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Priorities 2010-2016 report. This suggests that the public capital programme will create or sustain between 55,000 and 75,000 jobs per annum over the period of the plan. Of course, these figures should be treated as indicative only given the difficulty in estimating the overall employment impact of such capital investment plans.

Medical Cards

139. **Deputy Mary Upton** asked the Minister for Finance if his attention has been drawn to the fact that persons over 70 years who no longer qualify under the revised terms for medical cards and who voluntarily return their medical cards are liable to pay the income levy on their occupational pensions; if he will provide the number of persons in this category who returned their medical cards; the number of those in this category who might have been expected to return their cards; and if he will make a statement on the matter. [34816/10]

Minister for Finance (Deputy Brian Lenihan): Section 531B(2)(b) of the Taxes Consolidation Act 1997 provides that a person who has eligibility to a full medical card will have an exemption from the Income Levy for that year of assessment. Revenue have published Frequently Asked Questions to provide further clarification in this regard by stating that where a person had eligibility to a full medical card at any time during the year of assessment that the Income Levy would not be charged for that year of assessment.

In circumstances where an individual has voluntarily returned their medical card on the basis that they no longer meet the eligibility criteria, that person will retain the Income Levy exemption for the year of assessment when the card is surrendered. However, the Levy will apply to their aggregate income for the subsequent year of assessment, with reference to the exemption limit of €20,000 which applies for a single person over 65 years of age, or €40,000 which applies where either spouse is over 65 years.

The Department of Health and Children has advised that 12,101 medical cards were returned in 2009 by persons aged 70 years and over, who declared their income as being in excess of the medical card income guidelines. In addition, approximately 5,000 over 70s medical cards were removed from the medical card register in 2009 as part of the Health Service Executive's data quality exercise. The original total estimate of over 70s medical cards which would be returned was 20,000.

Pension Provisions

140. **Deputy Mary Upton** asked the Minister for Finance if his attention has been drawn to the fact that persons who do not have a yearly pension income of at least €12,700 are only allowed on maturity of their pension fund, to withdraw 25% of the full amount of the fund in a tax free lump sum and if they do not want to invest the balance of the fund in an annuity, that they are obliged to place the next €63,500 of their pension in either an annuity or an approved minimum retirement fund; and if he will make a statement on the matter. [34817/10]

Minister for Finance (Deputy Brian Lenihan): The Deputy is referring to elements of the flexible options on retirement introduced in the 1999 Finance Act which allow certain categories of individual considerable flexibility and freedom in relation to the drawing down of benefits from their pension plans. Previously, such individuals would have been required to purchase an annuity with the pension fund moneys remaining after the draw-down of the appropriate tax-free lump sum. The option to have all or part of an individual's accumulated pension fund placed in an Approved Retirement Fund (ARF) on retirement, after drawing down the appropriate tax-free lump sum, is open to a qualified person (generally a proprietary director,

self-employed individual and certain employees or directors in non-pensionable employment) who has a guaranteed income actually in payment for life of at least €12,700 per annum.

Where the guaranteed income requirement is not met, then an Approved Minimum Retirement Fund (AMRF) must be chosen into which the first €63,500 of the remaining pension fund (after taking the tax free lump sum), or the whole of the remaining fund if less than this amount, must be invested. Alternatively, an annuity can be purchased with the first €63,500 of the pension fund and the balance placed in an ARF. The capital in an AMRF is not available to an individual until he or she reaches 75 years though any income generated by the fund can be drawn down subject to tax. In essence the AMRF becomes an ARF when the person reaches 75 years of age. The purpose of an AMRF is to ensure a capital or income “safety net” for the relevant individuals throughout the period of their retirement.

As outlined in the National Pensions Framework published earlier this year, the Government has decided to extend these flexible options on retirement to members of Defined Contribution occupational pension schemes in respect of the main benefits from such schemes (they can already avail of the flexible options in relation to any additional voluntary contributions they have made). The implementation of this aspect of the Framework (committed to from 2011) is being examined, as are other aspects of the current arrangements. For example, the guaranteed income limit (€12,700) has not been changed since the introduction of the flexible options in 1999. In addition, the Government is aware that individuals who invested their funds in an AMRF because they did not satisfy the specified income requirements at retirement, may later satisfy those requirements. Notwithstanding this, such individuals are effectively locked into the AMRF until they reach 75. The Government has decided to allow those individuals who meet the specified income conditions after retirement to have their AMRFs treated as ARFs to which they will have access.

Cycle to Work Scheme

141. **Deputy Mary Upton** asked the Minister for Finance if his attention has been drawn to the fact that the cycle to work scheme does not allow for participants to purchase a child helmet or child seat and that this severely restricts the ability of parents to transport their child to school or child-care on their way to work; and if he will make a statement on the matter. [34819/10]

Minister for Finance (Deputy Brian Lenihan): The cycle to work scheme is a tax incentive aimed at encouraging employees to cycle to work. It provides for an exemption from a benefit-in-kind charge in circumstances where an employer provides a director or employee with a bicycle and/or associated bicycle safety equipment where they will be used mainly for qualifying journeys, being journeys between home and place of work or between two different places of work. In this regard, safety equipment for a child, like a helmet or separate seat, is not considered as being necessary for the director or employee’s qualifying journeys and therefore does not qualify as safety equipment under the scheme.

Departmental Staff

142. **Deputy Paul Gogarty** asked the Minister for Finance if the new circular 13/2010 regarding parental leave will be extended to public servants, and if so, when this will happen; and if he will make a statement on the matter. [34834/10]

Minister for Finance (Deputy Brian Lenihan): The arrangements for parental leave for civil servants come within my area of responsibility. Arrangements in other parts of the public service are the responsibility of the appropriate Minister. The Parental Leave Act 1998 and the Parental Leave (Amendment) Act 2006 set out the statutory entitlements to Parental Leave. All employers have to provide access to up to fourteen weeks' unpaid leave for employees with children under eight years of age. The fourteen weeks can be spread over eight years by agreement, but the employer can insist that they are taken in blocks of at least six weeks.

Within the civil service the arrangements for parental leave are set out in the Department of Finance Circular 20/2008: Parental Leave in the Civil Service, which is available on my Departments website. From 1 September 2010, an amendment to Circular 20/2008 has come into effect and is referred to in the recently published Circular 13/2010, also available on the website. The amendment relates to an increase in the maximum age of the child in respect of whom employees may take parental leave from eight to thirteen years. In the case of an adopted child, where the child is eleven years or more but less than age thirteen, the parental leave must be taken within two years of the adoption order. In the case of a child with a disability, the age limit of sixteen years will still apply.

The total amount of parental leave has not increased, it is simply that the cut off point, the time by which the leave must be taken, has been extended. The change extends access to parental leave and complements the package of measures to reduce the civil service pay bill. All other terms included in the previous circular, 20/2008 will continue to apply.

Tax Yield

143. **Deputy Terence Flanagan** asked the Minister for Finance the amount of revenue over the past two years that has been lost in taxes as persons from here shop in the Northern Ireland; and if he will make a statement on the matter. [34844/10]

Minister for Finance (Deputy Brian Lenihan): The Revenue Commissioners and the Central Statistics Office (CSO) prepared a report, at my request, on the Implications of Cross Border Shopping for the Irish Exchequer. The report was published on my Department's website on 20 March 2009. The report estimated the value of cross-border shopping in 2008 to be in the range of €350m to €550m; representing an increase in the order of around two-thirds compared to 2007, with the resulting VAT and excise duty revenue loss to the Irish exchequer estimated to be between €58m and €90m (the higher estimate represents under 0.5% of the total VAT and excise revenue in 2008).

In addition to the VAT and excise loss, there was a possible corporation tax revenue loss that was tentatively estimated to be in the range of €15m to €24m. However, it should be noted that the estimates for corporation tax revenue are provisional and should only be considered as indicative of the potential loss. In regard to 2009, the estimated value of cross-border shopping was put in the range of €450m to €700m, with a potential VAT and excise revenue loss of between €72m and €112m, and a possible corporation tax revenue loss in the range of €20m to €31m.

The report noted that the main causes of price differentials between goods in Northern Ireland and the Republic were operating costs, profit margin (mark-up), taxes and a significant depreciation of Sterling against the Euro. While changes then made in the standard VAT rates widened some price differentials, their impact however remained small compared to the size of the change in the exchange rate. The report also noted that there was rather limited avail-

ability of quantifiable data on cross-border shopping. Consequently, with a view to improving the data available, Revenue and the CSO subsequently worked on questions for inclusion in the Quarterly National Household Survey (QNHS) to facilitate a more detailed assessment of cross-border shopping.

In that regard, the CSO published on 4 December 2009 the results of a survey of cross-border shopping as part of their Quarterly National Household Survey (QNHS) Q2 2009. The results showed that 16% of households in the Republic made a shopping trip to Northern Ireland in the twelve months to Q2 2009, with 41% in the border area and 21% in Dublin so doing. The report estimated the total expenditure between Q2 2008 and Q2 2009 on cross-border shopping trips at €435 million. This is generally in line with the estimations published in the March 2009 Report on the Implications of Cross Border Shopping. The QNHS also showed that the majority of trips involved purchases of groceries (80 per cent), with alcohol (44 per cent) and clothing and durables (42 per cent) being popular as well.

Based on the data contained in the CSO's QNHS survey on cross-border shopping, Revenue have estimated that the VAT and Excise loss in 2008 due to cross-border shopping, taking into account seasonal adjustments for the Christmas period, would be in the region of €90 million. The 2010 CSO Quarterly National Household Survey module on cross-border shopping was conducted and completed in Q2 but there are no results available yet. On receipt of the results, Revenue will estimate the tax losses for 2009 and into 2010 arising from cross-border shopping.

I would, however, add that the Irish standard VAT rate was reduced in the last Budget from 21.5% to 21% with effect from 1 January 2010. The UK standard VAT rate has reverted to 17.5% from 15% with effect from 1 January 2010. This means the standard VAT rate differential between Ireland and the UK has been reduced from 6.5 percentage points to 3.5 percentage points. In addition the excise duty rates on alcohol products were reduced by around 20% with effect from 10 December 2009. These measures combined provide less incentive for people to shop outside the State.

National Heritage Areas

144. **Deputy Seán Fleming** asked the Minister for Finance, further to Parliamentary Question No. 150 of 6 July 2010, if he will supply the information requested. [34857/10]

Minister of State at the Department of Finance (Deputy Martin Mansergh): OPW records indicate that the expenditure incurred and receipts realised since 1987 on the Great Heath of Maryborough are as outlined below:

Expenditure by OPW 1987 to date

	€
Legal Advice on State's Title to Health	€0.00
Midland Circuit Record E45/94	73,124.79
High Court Record 6238P/2002	38,726.36
High Court Record 6702P/2002	114,031.25
Agricultural Consultant Fees	36,536.14
Surveyors Fees	0.00
Litter Collection	1,303.52
Furze Cutting	6,500.00
Erection of Signs	1,158.47
Other expert and consultant fees	17,149.21

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Receipts by OPW 1987 to date

	€
Rent	3,066.00
Motorway and Road Construction	125,009.00
Other — Sale of Land	2,027.00
Other — Eircom	0.00

Tax Collection

145. **Deputy Jack Wall** asked the Minister for Finance if a person (details supplied) in County Kildare is due a tax rebate for 2010; and if he will make a statement on the matter. [34884/10]

Minister for Finance (Deputy Brian Lenihan): I have been advised by the Revenue Commissioners that they have no details in relation to a refund claim for 2010 for the person concerned. The person concerned can forward their claim to Julie Miller, Kildare Revenue District, Athy Business Campus, Castlecomer Road, Athy, Co. Kildare.

Tax Yield

146. **Deputy Terence Flanagan** asked the Minister for Finance if he will provide a breakdown on the amount that has been collected in stamp duty on homes from first time buyers and second-hand home purchasers over the past five years; and if he will make a statement on the matter. [34885/10]

Minister for Finance (Deputy Brian Lenihan): I am informed by the Revenue Commissioners that the available information with regard to the yield over the past five years from Stamp Duty on residential properties broken down between first-time buyers and other buyers, is set out in the following table:

Year	Stamp Duty Yield — where First-Time Buyer Relief applied	Stamp Duty Yield — Other Buyers
	€ million	€ million
2005	43.6	878.7
2006	66.2	1,234.6
2007	23.3	989.5
2008	Nil	453.3
2009	Nil	158.9

Stamp Duty data on residential property transactions is not captured in such a manner that would enable a breakdown to be provided between second-hand and new residential properties. However, as the majority of new houses purchased are exempt from Stamp Duty — only new properties in excess of 125 square metres for owner-occupiers or new properties purchased as investments are liable to Stamp Duty — it could be reasonably assumed that the bulk of Stamp Duty paid in respect of residential property is from second-hand properties.

First-time buyers are identifiable where they qualified for the first-time buyer relief and paid Stamp Duty at a lower rate than other buyers. As Stamp Duty rates for property transactions

exceeding €635,000 on or after 2 December 2004 were the same for all residential purchasers, it is not possible to distinguish first time buyer transactions in excess of these values. First time buyers were exempted from Stamp Duty in relation to instruments executed on or after 31 March 2007. This is why there is a ‘nil’ response for 2008 and 2009 — in these years, Stamp Duty was not collected in respect of first time buyers because they were exempt. The figures for yield provided in the table are based on the yield arising from transaction documents stamped at any time during the years in question. The total yield accounted for in this way does not coincide entirely with figures normally compiled and reported on a cash receipts basis brought to account in the year.

Tax Code

147. **Deputy Jack Wall** asked the Minister for Finance if an old age pensioner, who is in receipt of a housing adaptation grant from a local authority for a stairlift, is entitled to claim back VAT even if they are not registered for VAT; and if he will make a statement on the matter. [34903/10]

Minister for Finance (Deputy Brian Lenihan): Legislation does not provide for an exemption from VAT for pensioners in respect of house improvement projects. However, the Value Added Tax (Refund of Tax) (No. 15) Order 1981 does provide for the refund of VAT on qualifying goods that are purchased for the exclusive use of disabled persons suffering a specified degree of disablement. The age of the applicant is not relevant but to qualify for a refund the applicant must have a specified degree of disablement as defined in the Refund Order. “Qualifying goods” are goods, which are aids or appliances, including parts and accessories, specially constructed or adapted for use by a disabled person. The provisions of the Order extend to works carried out on homes to adapt them to make them more accessible for disabled persons. To qualify for a refund under the order an application has to meet both criteria. In order to ascertain whether a VAT refund applies in the case in question, the person might contact the Revenue Central Repayments Office, TEK II Building, Armagh Road, Monaghan on 047 632100.

EU Directives

148. **Deputy Jim O’Keeffe** asked the Minister for Finance the number of EU directives awaiting transposition into law in his Department; the reasons for the delays; and the reaction of the EU Commission in each case to such delays. [34934/10]

Minister for Finance (Deputy Brian Lenihan): There are fourteen Directives awaiting transposition into domestic law by my Department at the current time, none of which are past their transposition deadlines. The following table sets out the position. With regard to the two Directives with a transposition deadline of 31 October 2010, Directive 2009/83/EC will not require transposition measures by Ireland and Directive 2009/111/EC will be transposed by the 31 October deadline.

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Directive Reference Number	Title of Directive	Transposition deadline
2009/83/EC	Commission Directive 2009/83/EC of 27 July 2009 amending certain Annexes to Directive 2006/48/EC of the European Parliament and of the Council as regards technical provisions concerning risk management	31 October 2010
2009/111/EC	Directive 2009/111/EC of the European Parliament and of the Council of 16 September 2009 amending Directives 2006/48/EC, 2006/49/EC and 2007/64/EC as regards banks affiliated to central institutions, certain own funds items, large exposures, supervisory arrangements, and crisis management	31 October 2010
2009/44/EC	Directive 2009/44/EC of the European Parliament and of the Council of 6 May 2009 amending Directive 98/26/EC on settlement finality in payment and securities settlement systems and Directive 2002/47/EC on financial collateral arrangements as regards linked systems and credit claims	31 December 2010
2008/8/EC	Council Directive 2008/8/EC of 12 February 2008 amending Directive 2006/112/EC as regards the place of supply of services	Various deadlines from 1 January 2011 to 1 January 2015
2009/69/EC	Council Directive 2009/69/EC of 25 June 2009 amending Directive 2006/112/EC on the common system of value added tax as regards tax evasion linked to imports	1 January 2011
2009/162/EU	Council Directive 2009/162/EU of 22 December 2009 amending various provisions of Directive 2006/112/EC on the common system of value added tax	1 January 2011
2010/12/EU	Council Directive 2010/12/EU of 16 February 2010 amending Directives 92/79/EEC, 92/80/EEC and 95/59/EC on the structure and rates of excise duty applied on manufactured tobacco and Directive 2008/118/EC	1 January 2011
2009/110/EC	Directive 2009/110/EC of the European Parliament and of the Council of 16 September 2009 on the taking up, pursuit and prudential supervision of the business of electronic money institutions amending Directives 2005/60/EC and 2006/48/EC and repealing Directive 2000/46/EC	30 April 2011
2010/43/EU	Commission Directive 2010/43/EU of 1 July 2010 implementing Directive 2009/65/EC of the European Parliament and of the Council as regards organisational requirements, conflicts of interest, conduct of business, risk management and content of the agreement between a depositary and a management company	30 June 2011
2010/44/EU	Commission Directive 2010/44/EU of 1 July 2010 implementing Directive 2009/65/EC of the European Parliament and of the Council as regards certain provisions concerning fund mergers, master-feeder structures and notification procedure	30 June 2011 31 December 2013
2009/65/EC	Directive 2009/65/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of laws, regulations and administrative provisions relating to undertakings for collective investment in transferable securities (UCITS)	30 June 2011

Directive Reference Number	Title of Directive	Transposition deadline
2010/24/EU	Council Directive 2010/24/EU of 16 March 2010 concerning mutual assistance for the recovery of claims relating to taxes, duties and other measures	31 December 2011
2009/138/EC	Directive 2009/138/EC of the European Parliament and of the Council of 25 November 2009 on the taking-up and pursuit of the business of Insurance and Reinsurance(Solvency II)	31 October 2012
2010/45/EU	Council Directive 2010/45/EU of 13 July 2010 amending Directive 2006/112/EC on the common system of value added tax as regards the rules on invoicing.	31 December 2012

Tax Code

149. **Deputy Joe McHugh** asked the Minister for Finance if he will explain the increase in vehicle registration tax on a vehicle (details supplied) between November 2009 to August 2010; and if he will make a statement on the matter. [34985/10]

Minister for Finance (Deputy Brian Lenihan): I am advised by the Revenue Commissioners that vehicle registration tax (VRT) is charged on a used car at the rate of a percentage, according to the CO₂ emissions, of the price, inclusive of all taxes and duties, which, in the opinion of the Revenue Commissioners, the car might reasonably be expected to fetch on a first arm's length retail sale in this State at the time of registration. Revenue forms its valuation opinions by reference to sources including trade guides, advertisements, and experienced persons in the motor trade. These opinions are subject to regular review by reference to current market data and the on-line VRT calculator is reconfigured, if necessary, to reflect that fresh research.

The car in question is a Mercedes-Benz, model E55AMG automatic, which has a 5439cc petrol engine, and emissions of 290g/km. The model is listed on the calculator under the reference number 40189991. Revenue revised its opinions of the value of this model in June, 2010, by reference to current market research and reconfigured the calculator by selecting a slower depreciation pattern compared with that selected in September, 2009. The position therefore is that the calculator reflects Revenue's *current* opinion of the values of the model. It is open to a person who has paid the VRT, and who disagrees with Revenue's valuation, to appeal the decision to Revenue who will take due account of the valuation and condition evidence provided by the appellant. It is also open to an appellant, who is dissatisfied with Revenue's determination of the appeal, to apply to have the case heard by the Appeal Commissioners.

Departmental Staff

150. **Deputy Darragh O'Brien** asked the Minister for Finance his plans to re-introduce the incentivised career break scheme in the public sector in the near future; and if he will make a statement on the matter. [34991/10]

Minister for Finance (Deputy Brian Lenihan): As you are aware the Special Civil Service Incentive Career Break Scheme was introduced as a once-off measure that was included in the Supplementary Budget on 7 April 2009. Following implementation on 30 April the measure was extended to staff in different areas of the public service, including the local government sector and the HSE. The closing date for participation in this scheme has expired and there is no current proposal to extend this scheme.

Fiscal Policy

151. **Deputy Joe McHugh** asked the Minister for Finance, further to Parliamentary Question No. 439 of 29 September 2010, if he will state if discussions are ongoing between his Department, the Northern Ireland Department of Finance and Public Service and the British Treasury in the specific context of budget 2011; and if he will make a statement on the matter. [35014/10]

Minister for Finance (Deputy Brian Lenihan): My officials are in regular contact with counterparts in the Northern Ireland Department of Finance and Personnel and HM Treasury with regard to a range of matters. Budget 2011 is, of course, a matter for the Irish Government. The Irish Government is committed to restoring sustainability to the public finances and achieving a General Government Deficit below 3% of GDP by the end of 2014. Work is now underway on a four year budgetary plan that will set out the annual measures required to meet this target. The four year plan will be published in the first half of November taking account of the latest economic and fiscal data. Budget 2011 will be presented to the Dáil on Tuesday, 7th December.

Official Engagements

152. **Deputy Pat Rabbitte** asked the Minister for Finance the number of times he has met with the Taoiseach regarding Government business during the Dáil recess; and if he will make a statement on the matter. [35016/10]

Minister for Finance (Deputy Brian Lenihan): During the Dáil recess (8 July-29 September 2010) I met with an Taoiseach eleven times.

Banking Sector Regulation

153. **Deputy Lucinda Creighton** asked the Minister for Finance the amount of the promised ten per cent increased lending capacity that has been made available to small and medium sized business by Bank of Ireland and AIB as required under the conditions of the bank recapitalisation scheme; if both banks have furnished the Financial Regulator with regular quarterly reports outlining the implementation of the increased lending capacity; and if he will make a statement on the matter. [35024/10]

Minister for Finance (Deputy Brian Lenihan): As part of the 2009 recapitalisation, both AIB and Bank of Ireland committed to providing an additional 10% capacity for lending to SMEs in 2009. In the supplementary documentation related to the transfer to NAMA published on 30 March this year, AIB were shown to have sanctioned lending of €2.5 billion in 2009 and BOI had a total of €2.5 billion actually drawn down. Both banks report to the Financial Regulator and to my Department on a quarterly basis on progress on SME lending. More recently, as part of the transfer of loans to NAMA, both banks undertook to make available not less than €3 billion each in both 2010 and 2011 for lending to SMEs. They were required to produce lending plans on how they would achieve this. Summary versions of these plans were published with the first quarterly report from Mr John Trethowan, the credit reviewer. These plans were reviewed by John Trethowan and the Department and were found to be credible.

Both Mr. Trethowan and the Department receive monthly progress reports from the two banks which allow us to monitor their lending to viable businesses in all sectors of the economy and in every area of the country. Both banks insist that there are no constraints on lending bar demand from viable businesses. To back this up, Mr. Trethowan has reported to the Department that both AIB and Bank of Ireland remain open for business and borrowers should use the Credit Review Office if they find this is not so.

Fiscal Policy

154. **Deputy Lucinda Creighton** asked the Minister for Finance the discussions he has had with the EU Economics Commissioner regarding achieving specific budget and reform measures during the next four years; if he has taken the Commissioner's advice and plans to adopt now measures to make sure debt remains on a sustainable path over the coming years; and if he will make a statement on the matter. [35027/10]

Minister for Finance (Deputy Brian Lenihan): Both my officials and I are in regular contact with our European colleagues. During last week's Eurogroup meeting, I updated my colleagues on banking and about budgetary developments and challenges, including the decision of Government to publish, in the first half of November, a four year budgetary plan which will set out the measures necessary to continue along the path of restoring sustainability to the public finances and reducing the General Government Deficit to below 3% of GDP by the end of 2014. The focus of all in Government is firmly fixed on improving the fiscal and economic position.

The four year budgetary plan has been welcomed by my European colleagues, as evidenced by the statement issued by the Eurogroup, after last weeks meeting, which stated that *"Ireland's track record in terms of fiscal adjustment has so far been strong and the consolidation measures taken have been effective. That is why we have confidence in the commitment of Ireland to deliver a revised multi-annual adjustment programme that will bring its deficit under the 3% target by 2014 and its public finances on a sustainable path."*

Health Services

155. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children if her attention has been drawn to reports that migrant women facing domestic violence have been denied social assistance for failure to meet the habitual residence condition; if she will direct community welfare officers to disregard the HRC in such cases so that these women and their children are not left destitute or forced to remain with their abuser; and if she will make a statement on the matter. [34448/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for attention and direct reply to the Deputy.

156. **Deputy Finian McGrath** asked the Minister for Health and Children if she will support a matter (details supplied). [34504/10]

Minister for Health and Children (Deputy Mary Harney): As the event referred to by the Deputy occurred outside the jurisdiction of the State, my Department has no function in any investigation into the matter. At my request, an official from my Department has raised the matter with the Medical Council. The Council has been requested to reply directly to the family.

Hospital Waiting Lists

157. **Deputy James Reilly** asked the Minister for Health and Children her views on the fact that over 46,000 patients are on hospital waiting lists here; that this figure will increase significantly as a result of planned bed and theatre closures; and if she will make a statement on the matter. [35144/10]

Minister for Health and Children (Deputy Mary Harney): The National Treatment Purchase Fund is responsible for the collation and reporting of national waiting list data and patients are placed on the national list only after they have been waiting three months. This is because

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many persons actually receive their treatment within three months and, in some cases, with little or no waiting. It is not appropriate to classify these patients as “awaiting treatment” in the same way as those who have been waiting for several months. The most recent figures relate to September 2010 and indicate that the number of patients waiting for over three months was 19,865. It is not correct, therefore, to conclude that there are over 46,000 patients on waiting lists.

It is more relevant to measure waiting times rather than the numbers of patients involved and enormous progress has been made in recent years in reducing average waiting times. The median waiting time for medical and surgical patients is now 2.6 months. This is a very significant reduction from an average of between two and five years when the NTPF was established in 2002. There remain a relatively small number of patients who have been waiting for longer than 12 months for treatment and I have emphasised to both the HSE and the NTPF the need for them to continue to work together to ensure that these patients are afforded treatment without further delay.

I do not accept that measures necessary to ensure that public hospitals operate within their budgets for the year will result in significant increases in waiting lists. The HSE’s National Service Plan 2010 commits to a range of measures to ensure that services are delivered more efficiently, including carrying out an increased proportion of surgery on a day basis, increasing rates of day-of-surgery admission and working to reduce average length of stay, as a result of which the level of activity in the system is projected to be broadly on a par with that achieved in 2009.

Medical Aids and Appliances

158. **Deputy James Reilly** asked the Minister for Health and Children the number of children and adults waiting to have a hearing aid fitted; the average waiting time to have a hearing aid fitted; the cost of hearing aids provided through the Health Service Executive; and if she will make a statement on the matter. [35145/10]

Minister for Health and Children (Deputy Mary Harney): There are 1,305 adults and 69 children waiting for hearing aids following assessment. The average waiting time for adults is currently 3 to 4 months and the average waiting time for children is approximately 6 weeks. The total cost of hearing aids provided through HSE services to medical card holders in 2009 was just over €1.4m for adults and €0.3m for children. This does not include the cost of repairs, remakes, earmoulds or accessories which amounted to almost €0.2m.

In June 2009, the HSE commissioned a National Review of Audiology Services. A key focus of this review is better integration of the various services provided by the HSE and external agencies involved in the provision of audiology services. The Review has examined the services currently being provided to children and adults nationwide to inform a national plan for the service. The Review Group expects to complete its report by year end.

Health Service Funding

159. **Deputy James Reilly** asked the Minister for Health and Children the amount of money owed by private health insurers to the Health Service Executive; and if she will make a statement on the matter. [35146/10]

Minister for Health and Children (Deputy Mary Harney): Charges are levied for private patients availing of private and semi-private accommodation in public hospitals. In most, but not all, cases these charges are paid by private health insurance companies on behalf of their

members. At the end of 2009 some €92.5 million in such charges was due to the HSE. Charges due include those billed to patients or their insurance companies where payment was not received by year end and bills which had not issued by year end. A total of some €195 million in charges were incurred during the course of 2009. The average debtor period in HSE hospitals for such charges is 5.7 months. (This refers to the time from discharge to receipt of payment).

I consider that this collection period is unsatisfactory and in 2010 I set the HSE an enhanced income collection target for the year of €75 million. This target was to be achieved through improvements in the collection process and reduction in debtor days. The industrial relations action by the health services staff in the early part of the year hindered action to achieve this target but a dedicated national project to accelerate income collection across all hospitals is now underway again. The HSE has set hospital level targets for income collection and appropriate budgetary sanctions are applied should the targets not be achieved. The HSE has put in place arrangements to speed up the payment of claims, including the electronic submission of claims and the submission of claims on a more frequent basis. The HSE and private health insurers have also agreed arrangements in a number of hospitals for sign off of claims by another consultant where delays are experienced in getting sign off of claims by the treating consultant.

In addition, in order to comprehensively address issues of charging and collection in relation to this area the Department of Health and Children has undertaken a Value for Money and Policy Review of the Economic Cost and Charges Associated with Private and Semi-Private Treatment Services in Public Hospitals. The issue of private patient income collection is fully addressed as part of this Review. The Review will outline an example of best practice in relation to income collection and make a number of recommendations aimed at improving collection rates and debtors days. The review is currently being finalised and it is anticipated that the Review will be brought to Government shortly.

Finally, the Deputy's question referred to payments to the HSE but payments in respect of the same charges are also received by voluntary hospitals. At the end of 2009 some €82.6 million was owed to these hospitals. The debtor period is somewhat lower at 5.2 months but is also considered to require significant reduction. The target for improved collection set for this year and the associated initiatives underway to achieve this include the voluntary hospitals.

Question No. 160 answered with Question No. 27.

Health Services

161. **Deputy Pat Breen** asked the Minister for Health and Children when a person (details supplied) will be facilitated; and if she will make a statement on the matter. [34441/10]

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

162. **Deputy Jack Wall** asked the Minister for Health and Children the position regarding renewal of a medical card in respect of a person (details supplied); and if she will make a statement on the matter. [34445/10]

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 Service Staff

163. **Deputy Seán Ó Fearghaíl** asked the Minister for Health and Children the number of

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consultant orthopaedic surgeons contracted within the public health service; her views on whether the numbers are adequate to meet our population's requirements; and if she will make a statement on the matter. [34447/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

Social Welfare Benefits

164. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children the reason community welfare officers are permitted to deny supplementary welfare allowance for failure to satisfy the habitual residence condition without offering the applicant a ticket back to the country of previous residence in circumstances where the applicant is unable to avail of any other source of income; the way persons in this situation are expected to avoid destitution and homelessness; and if she will make a statement on the matter. [34485/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for attention and direct reply to the Deputy.

Child Care Services

165. **Deputy Ruairí Quinn** asked the Minister for Health and Children the number of full-time and part-time child care places made available to participants attending back to education initiative, FÁS, VTOS and Youthreach training courses during the 2009/10 academic year on a county basis; the number of full-time and part-time child care places made available to participants attending back to education initiative, FÁS, VTOS and Youthreach training courses in the 2010/11 academic year under the new child care education and training support scheme on a county by county basis; and if she will make a statement on the matter. [34505/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): The new Childcare Education and Training Scheme (CETS) was introduced in September of this year and is being implemented by my Office, on behalf of FÁS and the Vocational Educational Committees (VECs) under the Department of Education and Science. The CETS scheme replaces the previous childcare support schemes implemented by FÁS and the VECs under which qualifying students and trainees were given a weekly Childcare Allowance of up to €63.50 per child as a contribution to their childcare costs. Under the new CETS scheme, qualifying students and trainees can avail of childcare places free of charge.

The eligibility criteria are unchanged and continue to be determined by FÁS and the VECs. The number of childcare places available under the new scheme is also unchanged and, at almost 3,000 full-time equivalent places, is based on the number of Childcare Allowances paid by FÁS and the VECs in respect of qualified parents in the 2009/10 academic year.

Information in regard to the number and location of childcare places claimed in the 2009/2010 academic year was compiled by FÁS and the Department of Education and Skills earlier this year and provided to my Office in order to put the new arrangements in place and allocate CETS places to services which were accepted into the scheme. Some adjustments to the initial allocations have since been made to take account of the actual demand in each area as students and trainees with childcare requirements commence courses. However, the total figures for each county remain largely similar in 2010.2011 to the numbers which applied in 2009/2010.

The breakdown of full-time and part-time places awarded in each county is shown in the table below. In addition to the places shown, a number of childcare places for FÁS trainees

were held in reserve and are being allocated to particular locations to meet any increases in demand which arise. The number of places held in reserve and not yet allocated currently stands at 213 full-time equivalent childcare places.

In addition, as an interim measure in 2010/2011, the Department of Education and Skills is continuing to pay Childcare Allowance of up to €63.50 per week, to students who were in receipt of this payment in 2009/2010 and wish to continue under this arrangement in 2010/2011 to retain the service of a Childminder rather than avail of a free childcare place under the new scheme. Approximately 200 full-time equivalent childcare places are being funded under this measure.

County	PT	FT
Carlow	7	60
Cavan	15	19
Clare	79	111
Cork	53	175
Donegal	57	185
Dublin	205	389
Galway	74	137
Kerry	23	82
Kildare	68	115
Kilkenny	9	36
Laois	13	38
Leitrim	12	9
Limerick	61	94
Longford	25	39
Louth	42	100
Mayo	20	52
Meath	35	55
Monaghan	22	16
Offaly	16	42
Roscommon	10	36
Sligo	16	45
Tipperary	43	49
Waterford	32	110
Westmeath	40	74
Wexford	51	61
Wicklow	36	53
	1,064	2,182

Health Services

166. **Deputy Seán Sherlock** asked the Minister for Health and Children the efforts that are being made to ensure that babies are receiving crucial developmental screening before the age of ten months in view of the recent reports of significant delays in scheduling appointments in parts of the country; and if she will make a statement on the matter. [34510/10]

Minister for Health and Children (Deputy Mary Harney): As the Deputy's question relates to a service matter it has been referred to the Health Service Executive for direct reply.

Medical Cards

167. **Deputy Michael McGrath** asked the Minister for Health and Children the position regarding a medical card appeal by a person (details supplied) in County Cork. [34512/10]

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.

Residential Care Services

168. **Deputy Pat Breen** asked the Minister for Health and Children her plans, if any, to staff a unit (details supplied); and if she will make a statement on the matter. [34515/10]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Question No. 169 answered with Question No. 27.

Health Services

170. **Deputy Pat Breen** asked the Minister for Health and Children when a person (details supplied) in County Clare will be facilitated; and if she will make a statement on the matter. [34520/10]

209. **Deputy Pat Breen** asked the Minister for Health and Children when a person (details supplied) in County Clare will be facilitated; and if she will make a statement on the matter. [34871/10]

210. **Deputy Pat Breen** asked the Minister for Health and Children when a person (details supplied) in County Clare will be facilitated; and if she will make a statement on the matter. [34872/10]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 170, 209 and 210 together.

As these questions are service matters, they have been referred to the HSE for direct reply. However, I would like to advise the Deputy that the scheduling of patients for hospital treatment is a matter for the hospital in each case and is determined on the basis of clinical need. Should the patient's general practitioner consider that the patient's condition warrants an earlier appointment, he/she would be in the best position to take the matter up with the hospital.

Medical Cards

171. **Deputy Michael McGrath** asked the Minister for Health and Children the position regarding a medical card application in respect of a person (details supplied) in County Cork. [34528/10]

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.

Hospital Services

172. **Deputy Seán Sherlock** asked the Minister for Health and Children if she will consider implementing a more favourable patient pricing structure to allow for the continuing viability of Cobh Community Hospital in County Cork; and if she will make a statement on the matter. [34543/10]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): Cobh Community Hospital provides a range of services, including long-term nursing home care. In October 2009, a new system of financial support for long-term nursing home care, the Nursing Homes Support Scheme, was introduced. The scheme is now the single method of financial support for such care. The scheme involves a fundamental change in the way in which long-term nursing home care is funded and, consequently, the way in which nursing homes and community hospitals, including Cobh Community Hospital, are funded. In the past, many of these facilities were allocated a lump sum annually. In contrast, the new scheme supports the individuals in need of long-term nursing home care, not the facilities providing the care. This means that funding follows the patients and ensures that facilities are not being funded for empty beds.

The legislation underpinning the Nursing Homes Support Scheme requires all nursing homes, including facilities such as Cobh Community Hospital which previously received funding under Section 39 of the Health Act 2004, to negotiate and agree a price for the cost of care with the National Treatment Purchase Fund (NTPF) should they wish to participate in the scheme. This is a necessary feature of the scheme due to the commitment by the State to meet the full balance of the cost of care over and above a person's contribution.

The NTPF has statutory responsibility for the negotiation of prices and is independent in the performance of its function. In carrying out this function, the NTPF has particular responsibility to ensure value for money for both the individual and the State. These legal structures mean that it is not possible for the Minister for Health and Children to intervene in the agreement reached between the NTPF and any given facility, including Cobh Community Hospital.

Finally, the Nursing Homes Support Scheme only applies to long-term nursing home care. Nursing homes and community hospitals can continue to have separate agreements with the HSE for the provision of other services, e.g. day care, respite and convalescence.

Departmental Expenditure

173. **Deputy Leo Varadkar** asked the Minister for Health and Children the amount of funding given to an organisation (details supplied) in 2008 and 2009; the amount that will be given in 2010; if there will be any cuts and how will it impact on services; and if she will make a statement on the matter. [34550/10]

245. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the current level of funding available to an organisation (details supplied) in County Kildare; if this is likely to be increased given increased demand by the organisation; and if she will make a statement on the matter. [35153/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): I propose to take Questions Nos. 173 and 245 together.

The Minister for Health and Children, Ms Mary Harney T.D. and I met with the Jack and Jill Foundation on 1st June last. The Health Service Executive was also represented at the meeting. We discussed a range of issues including the recently published report commissioned by the Foundation from the Centre for Health Policy and Management at the School of Medicine, Trinity College Dublin "There's no Place like Home". The outcome of the meeting was positive with Minister Harney granting funds for an extra Jack and Jill Liaison Nurse from National Lottery funding. I have also agreed to meet with a delegation from the Jack and Jill Foundation again in the near future. As the Jack and Jill Foundation is funded by the Health Service Executive I have asked the Executive to supply the details requested regarding funding directly to the Deputy.

Health Services

174. **Deputy Finian McGrath** asked the Minister for Health and Children if she will support a matter (details supplied). [34556/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): As the Deputy's question relates to service matters, I have arranged for this question to be referred to the Health Service Executive for direct reply.

Medical Cards

175. **Deputy Jack Wall** asked the Minister for Health and Children the position regarding a medical card application in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [34560/10]

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

176. **Deputy Olivia Mitchell** asked the Minister for Health and Children if, as a matter of urgency, she will ensure that a person (details supplied) in Dublin 16 has the additional supports sanctioned so that they can avail of a placement offered in a hospital. [34561/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): As the Deputy's question relates to service matters, I have arranged for this question to be referred to the Health Service Executive for direct reply.

177. **Deputy Michael Ring** asked the Minister for Health and Children if she would make a statement on the home help cuts in County Mayo. [34574/10]

178. **Deputy Michael Ring** asked the Minister for Health and Children the amount by which the home help service in Mayo has been reduced since the beginning of 2010; the number of hours that were saved by these cutbacks and the amount of money saved by the cutbacks in the home help service in County Mayo since 1 January 2010; and if she will make a statement on the matter. [34575/10]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): I propose to take Questions Nos. 177 and 178 together.

As these are service matters they have been referred to the Health Service Executive for direct reply.

179. **Deputy Jimmy Deenihan** asked the Minister for Health and Children if her attention has been drawn to the total absence of podiatry services in County Kerry and if she will outline the Health Service Executive plans to improve diabetes and podiatry services for County Kerry. [34576/10]

194. **Deputy Finian McGrath** asked the Minister for Health and Children if she will support a matter (details supplied). [34653/10]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): I propose to take Questions Nos. 179 and 194 together.

As these are service matters, they have been referred to the Health Service Executive for direct reply.

180. **Deputy Jimmy Deenihan** asked the Minister for Health and Children if her attention has been drawn to the lack of orthodontic services for County Kerry; the average waiting time for Kerry patients; and if she will make a statement on the matter. [34577/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the HSE for direct reply.

Accident and Emergency Services

181. **Deputy Jimmy Deenihan** asked the Minister for Health and Children when will work commence on the new accident and emergency unit at Kerry General Hospital. [34578/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

Hospital Services

182. **Deputy Jimmy Deenihan** asked the Minister for Health and Children when the community nursing home unit will open at Kerry General Hospital; and if she will make a statement on the matter. [34579/10]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Medical Cards

183. **Deputy James Bannon** asked the Minister for Health and Children the position regarding a medical card in respect of a person (details supplied) in County Longford; and if she will make a statement on the matter. [34584/10]

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.

184. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children if asylum seekers who leave the direct provision system will have their medical cards revoked, even if they have existing medical conditions; if so, the reason for this in view of the fact that their incomes will still be below the medical card threshold as they are excluded from employment and the social welfare system; and if she will make a statement on the matter. [34594/10]

Minister for Health and Children (Deputy Mary Harney): Asylum seekers are given medical cards for the period during which their application for refugee status is being considered. If refugee status is subsequently granted, then the person is regarded as ordinarily resident and comes under the usual rules for entitlement to health services. The specific issue raised by the Deputy has been referred to the Health Service Executive for direct reply.

Mental Health Services

185. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children if any attempt has been made to quantify the cost that has been incurred for providing mental health services to asylum seekers who have spent several years in the direct provision system; and if she will make a statement on the matter. [34595/10]

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.

Asylum Support Services

186. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children her view and the view of the Health Service Executive regarding the establishment of separate accommodation for single women in the asylum system, to protect the safety of vulnerable women and their children. [34599/10]

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 Cards

187. **Deputy Olivia Mitchell** asked the Minister for Health and Children if she will award a medical card to a person (details supplied) in view of his changed circumstances; and if she will make a statement on the matter. [34609/10]

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

188. **Deputy Billy Timmins** asked the Minister for Health and Children the position regarding a person (details supplied); and if she will make a statement on the matter. [34614/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the HSE for direct reply.

189. **Deputy Ruairí Quinn** asked the Minister for Health and Children the waiting times for speech and language therapy on a county basis; and if she will make a statement on the matter. [34624/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): As the Deputy's question relates to service matters, I have arranged for this question to be referred to the Health Service Executive for direct reply.

Hospital Waiting Lists

190. **Deputy Seán Ó Fearghaíl** asked the Minister for Health and Children the reasons for delays in scheduling orthopaedic surgery for patients attending the Midland Regional Hospital, Tullamore and the Adelaide and Meath Hospital, Tallaght; if she will bring to the attention of the Health Service Executive the level of human suffering and debilitation that arises from lengthy delays in carrying out surgery caused by such delays; if she will further draw the attention of the HSE to the economic cost arising from these delays; and if she will make a statement on the matter. [34625/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the HSE for direct reply.

Residential Care Services

191. **Deputy Emmet Stagg** asked the Minister for Health and Children the number of long-term stay beds and respite care beds in use at a care unit (details supplied) in County Kildare;

the reason there is not full occupancy and if she will ensure that the beds currently not in use are brought into service. [34631/10]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Health Services

192. **Deputy Terence Flanagan** asked the Minister for Health and Children if she will deal with the following matter (details supplied); and if she will make a statement on the matter. [34645/10]

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

193. **Deputy Dan Neville** asked the Minister for Health and Children if she will make a statement on a matter regarding a hospital (details supplied). [34649/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

Question No. 194 answered with Question No. 179.

Services for People with Disabilities

195. **Deputy Joanna Tuffy** asked the Minister for Health and Children if her attention has been drawn to the fact that, at present, the school age disability speech and language therapy service in Dublin West is not operational; when this service will commence in view of the need to address this situation due to the number of children who urgently require these services; and if she will make a statement on the matter. [34666/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): As the Deputy's question relates to service matters, I have arranged for this question to be referred to the Health Service Executive for direct reply.

Misuse of Drugs

196. **Deputy Jack Wall** asked the Minister for Health and Children the investigations carried out on the headshop product referred to as "whack"; and if it will form part of a future ban. [28766/10]

Minister for Health and Children (Deputy Mary Harney): In light of the health risks associated with so-called "legal high" products which were on sale in head shops, the Government made an Order on 11 May 2010 declaring approximately 200 individual substances to be controlled drugs under the Misuse of Drugs Act 1977, with immediate effect. It is now a criminal offence for a person to import, export, produce, supply or possess these legal high substances. This legislation has had a significant impact on head shops, removing the vast majority of their products from the market, and as a consequence a large number of head shops have closed.

The Government has always acknowledged that attempts would be made to circumvent the legislation. Since these substances were brought under control, other substances contained in products such as "Whack" have been coming onto the market that are currently not subject to controls under the Misuse of Drugs Act. My Department is working closely with the Depart-

[Deputy Mary Harney.]

ment of Justice and Law Reform, the Gardaí, the Customs Service, the Forensic Science Laboratory, the Irish Medicines Board, and others to monitor closely the emergence of new psychoactive substances. I will be seeking Government approval later this year to bring a further range of substances under control.

Health Services

197. **Deputy Jack Wall** asked the Minister for Health and Children the number of general practitioners that have undertaken training under the methadone protocol levels 1 and 2 in County Kildare. [28763/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the HSE for direct reply.

198. **Deputy Jack Wall** asked the Minister for Health and Children the number of general practitioners that have undertaken training under the methadone protocol level 1 and 2. [28762/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the HSE for direct reply.

Fluoridation of Water

199. **Deputy Joanna Tuffy** asked the Minister for Health and Children if she will carry out a study on the total fluoride intake of the population here as contained in the renewed programme for Government; and if she will make a statement on the matter. [30738/10]

Minister for Health and Children (Deputy Mary Harney): The Government is committed to a bio-monitoring programme to measure fluoride levels, which will provide robust baseline data on the level of fluoride in the general population. The HSE is in the process of establishing a high level Steering Group, which will oversee the implementation of the project. A pilot human bio-monitoring study will commence early in 2011. The information gained from the pilot project will assist the Steering Group to focus on the key deliverables for the main baseline monitoring programme later in 2011. The trends for results, the baseline data and level of fluoride in the general population are expected to emerge in early 2012.

Medical Cards

200. **Deputy James Bannon** asked the Minister for Health and Children the reason a medical card had been withdrawn in respect of a person (details supplied) in County Longford; and if she will make a statement on the matter. [34794/10]

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.

Pre-school Services

201. **Deputy Mary Upton** asked the Minister for Health and Children if she will reconsider the conditions of the free preschool year, where many parents are unable to avail of the scheme because of the age requirement; if her attention has been drawn to the discriminatory nature of the scheme, whereby some children attending a preschool year are entitled to breakfasts or lunches, while others within the same playgroup are not entitled; the difficulties that this presents at a practical level for the management of the playschool; the potential discriminatory

nature of the scheme if applied as above; and if she will make a statement on the matter. [34820/10]

202. **Deputy Mary Upton** asked the Minister for Health and Children the number of children availing of the free preschool year scheme; the number of children who had signed up but later dropped out of the scheme; and if she will make a statement on the matter. [34821/10]

203. **Deputy Mary Upton** asked the Minister for Health and Children the number of queries received by her in relation to the eligibility of a child to avail of the free preschool year arising from their age; and if she will make a statement on the matter. [34822/10]

204. **Deputy Mary Upton** asked the Minister for Health and Children her views on the fact that a number of children will not be able to avail of the free school year because of their age, while at the same time the same children will be accepted into junior infants in a national school; her proposals to remove the discriminatory age requirements from the application of the scheme; and if she will make a statement on the matter. [34823/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): I propose to take Questions Nos. 201 to 204, inclusive, together.

I have responsibility for implementing the free Pre-School Year in Early Childhood Care and Education (ECCE) scheme, which was introduced in January of this year. Children qualify for the free pre-school year where they are aged more than 3 years 2 months and less than 4 years 7 months in September of the relevant year. This means that children born between 2 February 2006 and 30 June 2007 are eligible for the free pre-school year which commenced in September 2010. The objective of the ECCE scheme is to make early learning in a formal setting available to all children in the key developmental year before they commence primary school. Services participating in the pre-school year are expected to provide appropriate age related activities and programmes to children within a particular age cohort. It is necessary, therefore, to target the pre-school year at a particular age cohort and to set minimum and maximum limits to the age range within which children participate in the scheme. The ECCE scheme provides for an eligibility range of almost 17 months and there are no plans to review this position.

In setting the minimum and maximum age limits, account was taken of a number of factors, including the variation in school admission policies and the fact that the majority of children commence primary school between the ages of 4 years 6 months and 5 years 6 months. In addition, provision is made for children to qualify at a later age if this is necessary to meet a particularly high age requirement in local primary schools or if children have special needs which make enrolment at a later age more appropriate. There is no provision for exceptions to the lower age limit for eligibility.

The scheme is open to both daycare and playschool services and additional hours availed of by parents can be charged for. The Child Care (Pre-School Services) (No. 2) Regulations require services to provide meals and snacks to children, the quantity and nature of which vary depending on the length of time the children are attending. Daycare services, where parents will be subject to charges for additional hours over and above the free pre-school provision, may include the cost of meals and snacks in their daycare fees or provide parents with the option to supply their own meals and snacks. Parents availing of the pre-school year in a sessional playschool service, where additional hours over and above the free pre-school provision will not normally be availed of, may supply their own meals and snacks or may choose to pay the service for meals and snacks provided, as an optional additional extra.

[Deputy Barry Andrews.]

I am not in a position to advise the Deputy as to the number of queries received by my Office in regard to the qualifying age range for the scheme. Since the announcement of the scheme in April 2009 my Office has dealt with over 250,000 queries on a wide range of issues relating to the scheme. Over 4,000 pre-school services anxious to join the scheme, and thousands of parents anxious to avail of it for their children, have been in contact with my Office. It was necessary to give priority to dealing with these queries rather than recording the specific issue raised. Data is collected by my Office in relation to the number of qualifying children attending each service as services are funded on this basis. This is collected from service returns made at the start of each pre-school year. The date for receipt of returns for this year was 24 September and the data is still being processed. However, it appears at this point that some 63,000 children are participating in this academic year, representing 94% of children in the year before starting school, an extraordinarily high level of participation after such a short period of time.

Care of the Elderly

205. **Deputy James Reilly** asked the Minister for Health and Children the costs to the Health Service Executive each year as a result of falls in the home by older persons; and if she will make a statement on the matter. [34835/10]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): As this is a service matter it has been referred to the Health Service Executive for direct reply.

206. **Deputy James Reilly** asked the Minister for Health and Children the amount the Health Service Executive spends on care for the elderly; and if she will make a statement on the matter. [34836/10]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Medical Cards

207. **Deputy Emmet Stagg** asked the Minister for Health and Children if she will change the medical card eligibility rules to allow the public service pension levy to be deducted in assessing eligible income. [34858/10]

Minister for Health and Children (Deputy Mary Harney): The assessment of eligibility to a medical card is a statutory function of the Health Service Executive (HSE). In assessing eligibility, the HSE must have regard to the overall financial situation of the applicant and his/her spouse and dependants. The HSE has guidelines to assist its staff in assessing the financial situation of applicants. Under the current guidelines, the Pension Levy payable by public servants is not deductible from gross income for assessment purposes. It should be noted that contributions to private pension schemes are similarly not deductible. My Department is considering this matter in consultation with the HSE.

Pre-school Services

208. **Deputy Seán Fleming** asked the Minister for Health and Children the number of children availing of the early child care year in County Laois; the number of providers of this service in County Laois; and if she will make a statement on the matter. [34861/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): I have responsibility for implementing the free Pre-School Year in Early Childhood Care and Education (ECCE) scheme, which was introduced in January this year. The number of pre-school services in County Laois, currently participating in the ECCE scheme, is seventy-six. All services participating in the scheme are required to return information to my Office at the start of each pre-school year in relation to the number of qualifying children attending, as services are funded on this basis. In this academic year, the returns were required by 24 September. While the information is still being processed, I understand at this point that some 1,360 children in County Laois are participating in the scheme.

Questions Nos. 209 and 210 answered with Question No. 170.

Hospital Services

211. **Deputy Jan O’Sullivan** asked the Minister for Health and Children the trained professionals or multi-disciplinary teams that are in place on a 24-hour basis within accident and emergency departments to treat those presenting with suicidal tendencies; and if she will make a statement on the matter. [34874/10]

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 Staff

212. **Deputy James Bannon** asked the Minister for Health and Children if she will make provision for a nationally recognised transfer scheme for nursing staff within the Health Service Executive; and if she will make a statement on the matter. [34886/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the HSE for direct reply.

Health Services

213. **Deputy Edward O’Keeffe** asked the Minister for Health and Children if she will assist in having a person (details supplied) in County Cork called at the earliest date possible to a specific facility in north Cork. [34917/10]

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.

Hospital Services

214. **Deputy Seán Sherlock** asked the Minister for Health and Children the basis upon which a decision has been taken to limit access to the Orthopaedic Hospital in Cork and refer patients with prosthetics on a limited basis to St. Finbarr’s; and if she will make a statement on the matter. [34918/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

Health Services

215. **Deputy Dan Neville** asked the Minister for Health and Children if she will support a matter (details supplied); and if she will make a statement on the matter. [34919/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the HSE for direct reply.

216. **Deputy Seán Sherlock** asked the Minister for Health and Children if she will expedite an appointment for a person (details supplied) in County Cork; and if she will make a statement on the matter. [34923/10]

Minister for Health and Children (Deputy Mary Harney): The management of hospital services generally, including out-patient waiting lists, is a matter for the Health Service Executive and the individual hospitals concerned. Therefore, the Executive is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the case investigated and to reply directly to the Deputy.

217. **Deputy Joanna Tuffy** asked the Minister for Health and Children when a person (details supplied) in County Dublin, who has been on a waiting list for two years, will obtain an appointment for assessment for speech and language therapy services; and if she will make a statement on the matter. [34925/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): As the Deputy's question relates to service matters, I have arranged for this question to be referred to the Health Service Executive for direct reply.

Medical Cards

218. **Deputy Seán Sherlock** asked the Minister for Health and Children if she will clarify the limitations now in place with regard to dental procedures for medical card holders; the circumstances in which additional procedures will be sanctioned and covered under the medical card scheme; and if she will make a statement on the matter. [34926/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the HSE for direct reply.

EU Directives

219. **Deputy Jim O'Keeffe** asked the Minister for Health and Children the number of EU directives awaiting transposition into law in her Department; the reasons for the delays; and the reaction of the EU Commission in each case to such delays. [34936/10]

Minister for Health and Children (Deputy Mary Harney): As shown in the table below, four EU directives are awaiting transposition by my Department. None of these directives are overdue at present.

Directive Number and Title	Due Date
Commission Directive 2009/163/EU of 22 December 2009 amending Directive 94/35/EC of the European Parliament and of the Council on sweeteners for use in foodstuffs with regard to neotame	12/10/10
Commission Directive 2010/37/EU OF 17 June 2010 amending Directive 2008/60/EC laying down specific purity criteria on sweeteners	31/03/11
Commission Directive 2010/59/EU of 26 August 2010 amending Directive 2009/32/EC of the European Parliament and of the Council on the approximation of the laws of the Member States on extraction solvents used in the production of foodstuffs and food ingredients	15/09/11
Directive 2010/45/EU of the European Parliament and of the Council of 7 July 2010 on standards of quality and safety of human organs intended for transplantation	27/08/12

Health Service Staff

220. **Deputy Damien English** asked the Minister for Health and Children the number of social workers currently in the Health Service Executive north-east region; the way in which this figure compares with the average for each other HSE region; and if she will make a statement on the matter. [34945/10]

Minister for Health and Children (Deputy Mary Harney): With regard to the number of social workers currently employed in the HSE, as this is a service matter it has been referred to the HSE for direct reply.

221. **Deputy Damien English** asked the Minister for Health and Children the plans she or her Department has to increase the number of social workers in the Health Service Executive north-east region; and if she will make a statement on the matter. [34946/10]

Minister for Health and Children (Deputy Mary Harney): My Department has written to the Health Service Executive setting out the overall approved employment control ceiling for 2010. As part of this approval, written confirmation has been provided to the HSE that the general moratorium on recruitment, promotion and the payment of acting up allowances does not apply to specific designated grades. Delegated sanction has been given to the HSE for the creation and filling of frontline posts, including social worker posts. The approval indicated that vacancies in existing posts in these grades may continue to be filled. New posts may also be created in these grades, up to a specified limit, provided that the HSE is satisfied in each case that there is no scope to redeploy an equivalent post from the hospital sector to the primary and community care sector. This moratorium exemption provides for an increase in the number of social worker posts, in line with Government policy, in order to meet the requirements of integrated care delivery and primary care needs particularly in respect of children at risk, the elderly and those with disabilities.

With regard to the recruitment of social workers in the HSE North East region, as this is a service matter it has been referred to the HSE for direct reply.

Child Abuse

222. **Deputy Damien English** asked the Minister for Health and Children the number of cases of child neglect that have been reported to the Health Service Executive in 2009 and to date in 2010; if she will provide a breakdown for each HSE region; and if she will make a statement on the matter. [34947/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): As this is a service matter it has been referred to the HSE for direct reply.

Children in Care

223. **Deputy Damien English** asked the Minister for Health and Children the number of children who are currently in the care of the Health Service Executive in the north-east region. [34948/10]

225. **Deputy Damien English** asked the Minister for Health and Children the number of children who have been taken into care in 2009 and to date in 2010 by court order in the north-east region; and if she will provide a breakdown as to the location at which these children were placed. [34950/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): I propose to take Questions Nos. 223 and 225 together.

As these are service matters they have been referred to the HSE for direct reply.

224. **Deputy Damien English** asked the Minister for Health and Children if she will make a statement on the policy of the Health Service Executive with regard to children in care.
[34949/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): The Child Care Act, 1991, provides the statutory basis for child welfare and protection. Under the Act, the Health Service Executive (Est. 2005) has responsibility for the delivery of services. The Office of the Minister for Children and Youth Affairs, was established in December 2005 to improve the lives of children under the National Children's Strategy and bring greater coherence to policy-making for children including in the areas of early childhood care and education, youth justice, child welfare and protection, children and young people's participation, research on children and young people, youth work and cross-cutting initiatives for children. Children now have a stronger voice on issues that affect them, through the Minister for Children and Youth Affairs, who, uniquely for a Junior Minister, attends all Cabinet meetings.

"The Agenda for Children's Services" is the national policy for all children's health and social services, which takes a more preventive approach to child welfare, involving support to families and individual children, aimed at avoiding the need for further more serious interventions later on. The principle of having health and social services provided on the basis of the child being supported within the family, within the local community is at the core of the national policy. The purpose of the policy document is to set out the strategic direction and key goals of public policy in relation to children's health and social services. "The Agenda for Children's Services" builds on existing policies and places them in a framework for delivering children's services.

As Minister for Children and Youth Affairs, I chair regular meeting between officials of the HSE and the OMCYA. These meetings are focused on a range of issues relating to child welfare and protection services, such as reform of social work, resource issues, management information and general delivery of statutory services. In addition to these regular meetings with HSE senior management, I also host meetings with HSE social work staff in an open forum arrangement.

Successive Ministers have taken a series of initiatives, since the publication of Children First in 1999, to improve the quality of children's lives in this country and to protect children at risk. The legislative and policy framework has been significantly strengthened through the passage of major pieces of legislation, such as the Children Act 2001, the Ombudsman for Children Act 2002, the Child Care (Amendment) Act 2007, and the continuing passage of new legislation through the Oireachtas including the Adoption Bill 2009, and the Child Care (Amendment) Bill, 2009. Key policy initiatives include, the Agenda for Children's Services, the Government's Implementation Plan following the Ryan Report, the Irish Youth Justice Service Strategy, the Youth Homelessness Strategy, and the Report of the Working Group on Foster Care.

Major developments have also taken place at service level including: the establishment and expansion of the Social Services Inspectorate under HIQA; the development of national standards for children in the care of the State; the continued development of special care units for vulnerable children; expansion of the Garda vetting services; the establishment of the Children's Services Committees; the creation of key new management positions in the HSE at senior management level with responsibility for child and family social services; the develop-

ment of standardised service delivery and business processes within the HSE; development of a Knowledge Management Strategy for child welfare and protection services; development of a sustainable and cost effective solution for the provision of out of hours services for Gardaí who remove children under Section 12 of the Child Care Act 1991; policy on under 12's in residential care; confirmation of statutory basis for the provision of aftercare services and increased provision of these services for young people leaving care; and oversight of HSE implementation of HIQA recommendations regarding residential care and foster care.

The Government is committed to building on the existing legislative and policy framework and to taking any additional actions deemed necessary to ensure greater protection for children at risk.

Question No. 225 answered with Question No. 223.

Health Services

226. **Deputy Edward O’Keeffe** asked the Minister for Health and Children if she will arrange for a specific item to be provided to an elderly person (details supplied) in County Cork. [34952/10]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): As this is a service matter it has been referred to the Health Service Executive for direct reply.

227. **Deputy Seán Sherlock** asked the Minister for Health and Children if she will put in place a long-term national vision strategy to plan for and co-ordinate the expected dramatic increase in demand for sight loss services in the years ahead; and if she will make a statement on the matter. [34955/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): From a disability perspective, the focus of any health or personal social service supports is to facilitate full participation in the social and economic life of the community. The extent and description of the supports required must be consistent with the person’s individual assessed need. The focus of health service provision for people with a disability is not a medical diagnosis. The Disability Act 2005 provides for, among other things, an individual assessment of need, a person centred service statement and the provision of individualised supports. This policy moves away from the provision of segregated, health-based, group services for people with a disability. As such, when policies/strategies/action plans are in development in relation to persons with a disability, generally those with visual impairment or blindness are included.

Mental Health Services

228. **Deputy Dan Neville** asked the Minister for Health and Children if she will support a matter (details supplied). [34956/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): “A Vision for Change” has been Government policy since it was launched in January 2006 and the Renewed Programme for Government re-affirms the Government’s commitment to that policy.

In 2009, the Board of the Health Service Executive (HSE) approved an Implementation Plan for “A Vision for Change” for the period 2009-2013. The development of Community Mental Health Centres in Primary Care Centres will enhance the working relationship between community based mental health teams and primary care teams. In addition, the HSE has worked closely with the Irish College of General Practitioners to advance a number of initiatives

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focussing on the vital role played by primary care in the provision of mental healthcare in Ireland. These include the appointment of a Project Officer, the development of a Resource Pack and Distance Learning Course for GPs and the development with Dublin City University of a “Team based approaches to mental health in primary care” training course, for primary care team professionals.

In relation to mental health care facilities for children and adolescents, the number of in-patient psychiatric beds for children and adolescents has increased from 12 in 2007 to 30 at the end of 2009. In addition two purpose built 20 bed units in Cork and Galway are scheduled to open in 2010 which will increase the overall number of beds to 52. Work has also commenced recently on Linn Dara, a Child and Adolescent Day Hospital in Cherry Orchard, Dublin which is due for completion in September 2011. Also of relevance is the Mental Health Commission addendum to the code of practice relating to the admission of children under the Mental Health Act 2001 which provides that: no child under 17 years is to be admitted to an adult unit in an approved centre from 1st December 2010; and no child under 18 years is to be admitted to an adult unit in an approved centre from 1st December 2011. Regarding amendments to the Mental Health Act 2001, it is anticipated that a general scheme of a Mental Health (Amendment) Bill 2010 will be submitted to Government within the next few weeks. The Bill will provide, inter alia, that where an involuntary patient has mental capacity, their consent is required for the administration of ECT.

Medical Cards

229. **Deputy Róisín Shortall** asked the Minister for Health and Children the protocol in place when a medical card is issued but a decision is subsequently taken that the holder is not eligible and when the card is not actually withdrawn; the action, if any, taken against individuals who use medical cards when they are no longer eligible as in such circumstances; and if she will make a statement on the matter. [34968/10]

Minister for Health and Children (Deputy Mary Harney): I take it that the Deputy is referring to situations such as where the Health Service Executive (HSE) receives information that a person may no longer be eligible for a medical card but is unable to make contact with that person. In such circumstances, the HSE notifies the medical card holder’s general practitioner so that, in the event that the person returns for service, he/she can be made aware of the position and asked to contact the HSE to address the issue.

All primary care contractors and medical card holders can check the status of any medical card at www.medicalcard.ie. The HSE receives over 5 million such checks annually from GPs alone. If a person uses a service and is not entitled to a medical card, he/she may be liable for the cost of the service provided.

Health Services

230. **Deputy Seán Sherlock** asked the Minister for Health and Children if she will expedite a medical assessment in respect of a child (details supplied) in County Cork; and if she will make a statement on the matter. [34969/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): As the Deputy’s question relates to service matters I have arranged for the question to be referred to the Health Service Executive for direct reply.

Pre-school Services

231. **Deputy Jim O’Keeffe** asked the Minister for Health and Children if funding will be made available to provide grants for pre-school personnel who are adding to their existing qualifications in early childhood care and education; and if she will make a statement on the matter. [34981/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): I have responsibility for implementing the free Pre-School Year in Early Childhood Care and Education (ECCE) scheme, which was introduced in January this year making a year of free pre-school provision available to all children when they fall within the qualifying age range.

Under the Child Care (Pre-School Services) (No. 2) Regulations, staff working in pre-school services are not subject to any requirement in relation to educational qualifications. While almost all pre-school services in the State are now participating in the ECCE scheme, in most cases, only some of the children attending will be doing so under the ECCE scheme. In respect of children in a service who are availing of the free pre-school year, the ECCE scheme requires that staff members acting as pre-school year leader hold a childcare qualification equivalent to FETAC Level 5 on the National Framework of Qualifications of Ireland (NFQ). As a transitional arrangement, during January 2010 to August 2012, a childcare qualification that includes four of the eight core modules that make up the full FETAC Level 5 qualification, will be accepted. Staff working with children under the ECCE scheme, as pre-school assistants, are not required to hold an educational qualification. Funding is not available to my Office to provide grants to persons working in pre-school services to improve their qualifications.

Care of the Elderly

232. **Deputy James Reilly** asked the Minister for Health and Children if she will provide a breakdown on the amount the Health Service Executive spends on care for the elderly in the categories of home care, home care packages, home help and so on; nursing home care, public and private nursing homes; long-term care for patients in acute hospitals; any other relevant category; and if she will make a statement on the matter. [34993/10]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Hospital Services

233. **Deputy Michael McGrath** asked the Minister for Health and Children the position regarding the provision of a dedicated stroke unit for the Health Service Executive south. [35006/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

Health Services

234. **Deputy Michael McGrath** asked the Minister for Health and Children the position regarding an application by a person (details supplied) in County Cork. [35007/10]

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.

Assisted Human Reproduction

235. **Deputy Michael McGrath** asked the Minister for Health and Children if she has plans to introduce legislation in the area of assisted human reproduction. [35010/10]

Minister for Health and Children (Deputy Mary Harney): My Department is currently developing policy proposals to regulate the area of Assisted Human Reproduction (AHR) with the intention of finalising them by the end of this year or early next year; these proposals will form the basis of legislation in the area of AHR.

Hospital Waiting Lists

236. **Deputy Pat Breen** asked the Minister for Health and Children when a person (details supplied) in County Clare will be facilitated; and if she will make a statement on the matter. [35012/10]

Minister for Health and Children (Deputy Mary Harney): I understand that this patient was admitted to Our Lady's Hospital for Sick Children on Friday 1st October.

Health Services

237. **Deputy Jack Wall** asked the Minister for Health and Children when a person (details supplied) in County Kildare will receive a date for assessment at child services, Naas; and if she will make a statement on the matter. [35018/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): As this is a service matter it has been referred to the HSE for direct reply.

Medical Cards

238. **Deputy Lucinda Creighton** asked the Minister for Health and Children the reasons medical card holders are experiencing continued difficulties accessing dental services since April 2010; and if she will make a statement on the matter. [35023/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the HSE for direct reply.

Medicinal Products

239. **Deputy Lucinda Creighton** asked the Minister for Health and Children the measures she is taking to ensure pharmacies are passing on the benefits of savings on the price of commonly used drugs to non-medical card customers; if she has had any communication with the Irish Pharmacy Union on this issue; and if she will make a statement on the matter. [35033/10]

Minister for Health and Children (Deputy Mary Harney): I have introduced a number of measures in the past year to reduce the costs of drugs and medicines for both the State and consumers. These measures have included a reduction in the wholesale and retail mark-ups under the Financial Emergency Measures in the Public Interest Act 2009 and new price agreements with IPHA (Irish Pharmaceutical Healthcare Association) and APMI (Association of Pharmaceutical Manufacturers in Ireland) which have reduced the price of hundreds of the most commonly prescribed off-patent medicines by 40%. Cumulatively these measures are expected to deliver savings to the State of over €200m in 2010.

I was most concerned to learn that some pharmacists were not passing on the benefits of these price and margin reductions to those patients whose expenditure on drug purchases are

not met by the Health Service Executive e.g. persons whose monthly expenditure is below the €120 per month threshold under the Drugs Payment Scheme. I have raised this matter with the Irish Pharmacy Union. It is disappointing that some pharmacists are withholding the benefit of the lower prices from some of their customers. The public deserve better in these difficult economic times.

The Code of Conduct for Pharmacists issued by the pharmacy regulator (The Pharmaceutical Society of Ireland) requires pharmacists, amongst other things, to provide honest, relevant, accurate, current and appropriate information to patients regarding the nature, cost, value and benefit of medicines, health-related products and services provided by them. Every pharmacist has an obligation to comply in full with the statutory Code of Conduct. Patients have every right to ask a pharmacist the reasons for the price they are being charged and if dissatisfied can, if they so choose, transfer their custom to an alternative pharmacy.

Cancer Screening Programme

240. **Deputy Lucinda Creighton** asked the Minister for Health and Children if she will guarantee the continuation of the cervical cancer screening programme; the measures she intends to take to improve public awareness of the programme considering just 285,000 out of the 1.1 million eligible women availed of a smear test in the first year of the service; and if she will make a statement on the matter. [35034/10]

Minister for Health and Children (Deputy Mary Harney): The Deputy's questions relate to service delivery matters and accordingly I have asked the HSE to respond directly to the Deputy.

Question No. 241 answered with Question No. 69.

Question No. 242 answered with Question No. 41.

Hospital Staff

243. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the total number of nursing posts currently vacant or waiting to be filled throughout the private and public hospital sectors; if the filling of any such posts is affected by the recruitment embargo; and if she will make a statement on the matter. [35151/10]

Minister for Health and Children (Deputy Mary Harney): As information on the number of nursing posts currently vacant or awaiting to be filled in the public health service is a service matter it has been referred to the Health Service Executive for direct reply. Neither my Department or the HSE maintain records on the number of vacancies in the private health sector. The Government has made it clear that a critical part of its strategy to restore the public finances is to achieve sustainability in the cost of delivering public services relative to State revenues. To help achieve this goal, it will be necessary to restructure and reorganise the public service and to reduce public service numbers, including the number of nurses and midwives, over the coming years.

The Employment Control Framework for the health sector provides for a net reduction in employment of 6,000 in wholetime equivalent (WTE) terms from March 2009 to the end 2012 and consequential pay roll savings. Based on numbers reductions already achieved in 2009, the net target reduction to end 2012 is 4,560 WTE. Therefore, the net target reduction in numbers in 2010, and in each of the following two years, is 1,520 wholetime equivalents. The Government decision has been modulated to ensure that key services are maintained insofar as possible in the health services, particularly in respect of children at risk, older people, persons with a

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disability, mental health services, and cancer services. The Framework, accordingly, provides for a number of grades and posts that are exempt from the moratorium on recruitment and promotion.

Although nurses are not exempt from the moratorium, the Employment Control Framework allows for the creation of 100 Psychiatric Nurse posts, where they are required, to support the implementation of a Vision for Change. In addition, the Framework provides for the creation of up to 70 Public Health Nurse posts to facilitate the recruitment of student public health nurses. It also provides for the creation of up to 30 posts to facilitate the appointment of successful students from the Nurse Sponsorship Scheme.

In addition, the HSE also has some degree of flexibility under the Framework to sanction the filling of certain other posts (both within its own organisation and in voluntary service providers funded by it) on an exceptional basis provided it achieves the overall target reductions in both staffing levels and pay costs. The requirement is that a post or posts of equivalent value must be suppressed in order to meet the cost of the post being filled.

Question No. 244 answered with Question No. 41.

Question No. 245 answered with Question No. 173.

Hospital Services

246. **Deputy Bernard J. Durkan** asked the Minister for Health and Children if all of the facilities, including theatres, funded by her Department at Tallaght hospital are fully operational; those that are not; the reasons such facilities provided at considerable expense have not been activated or commissioned; her plans to address these issues at an early date having regard to the wider catchment area and large population catered for by the Tallaght hospital; and if she will make a statement on the matter. [35154/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the HSE for direct reply.

247. **Deputy Bernard J. Durkan** asked the Minister for Health and Children if all of the facilities including theatres funded by her Department at Naas General Hospital are fully operational; those that are not; the reasons such facilities provided at considerable expense have not been activated or commissioned; her plans to address these issues at an early date having particular regard to the wide catchment area and large population catered for by the Naas General Hospital; and if she will make a statement on the matter. [35155/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the HSE for direct reply.

248. **Deputy Bernard J. Durkan** asked the Minister for Health and Children if she has considered in full the serious implications for the public arising from the scaling down of services at a number of general hospitals throughout the country; if any comparisons have been made with other jurisdictions where a similar action was taken and which resulted in a dramatic deterioration in the quality and level of hospital services; and if she will make a statement on the matter. [35156/10]

Minister for Health and Children (Deputy Mary Harney): I do not accept that necessary measures by the HSE to ensure that acute hospital services are delivered to budget and in line with the commitments in the 2010 National Service Plan will be detrimental to the quality and

level of hospital services. Maintaining patient safety and service levels is critical in all management decision-making in relation to cost containment. Expenditure control is focused on protecting front-line services and in particular emergency services, maintaining the quality and safety of services, delivering to service plan targets and protecting jobs.

The principal measures being employed include reducing pay and non-pay costs, controlling recruitment and absenteeism (which has a direct impact on the staffing costs of frontline services), redeployment of corporate and support staff to frontline roles, implementing measures to ensure that hospital care is delivered as efficiently as possible, improved bed utilisation and discharge planning, improving collection of income due from private patients and procurement initiatives.

Increasingly, the focus of the health service is on the quality of service outputs and the patient outcomes being achieved with the resources available. This is the approach being taken in health systems throughout the world. The National Service Plan 2010 commits the HSE to a range of measures to ensure that services are delivered more efficiently. These include carrying out an increased proportion of surgery on a day basis, increasing rates of day-of-surgery admission and working to reduce average length of stay. As a result, the level of activity in the acute hospital system is projected to be broadly on a par with that achieved in 2009.

Care of the Elderly

249. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the extent, if any, to which she and or her Department has examined the importance and value for money provided by the home help services throughout the country; the degree to which, if any, she has considered expanding the service in lieu of the more costly institutional care; and if she will make a statement on the matter. [35157/10]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): The policy of the Government is to support older people to live in dignity and independence in their own homes and communities for as long as possible. This is implemented via a range of community services such as Home Help, Home Care Packages (HCPs), Meals-on-Wheels, and Day/Respite care. Without these supports, many older people would spend longer in Acute Hospitals, or would be admitted to residential care earlier than might be necessary. It is generally accepted that Home Care costs are significantly lower than Acute Hospital or Long-Term Residential Care options.

The importance the Government attaches to Home Care is reflected in the fact that, between 2006 and 2010, in excess of €200 million additional funding was provided to the Health Service Executive (HSE) to expand these community-based services nationwide. This includes an extra €10 million provided in the last Budget for Home Care Packages, notwithstanding the serious financial pressures facing the country. This year the HSE will spend in the region of €210m on mainstream Home Help services and €130m on enhanced HCP provision.

The Department has worked closely with the HSE in recent times in relation to maximising the use of resources in the Home Care area generally, and this continues to be the case. An independent Evaluation of Home Care Packages, commissioned by the Department of Health and Children and undertaken by PA Consulting Group last year, found that HCPs provide a valuable service to a highly dependant cohort of older people, but that further improvements could be effected. Consequently, the Executive has this year progressed a number of initiatives for roll out in 2011. These focus on standardising access to, and delivery of, Home Care services, in order to best meet the needs of older people, and maximise use of finite resources, in terms of both mainstream and enhanced services. One of the recommendations of the Evaluation

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was that a Value for Money study of Home Care Packages be carried out. This will be effected by the HSE after the new standardised national operational procedures are in place next year.

Hospital Procedures

250. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the extent to which the cost of the various procedures at public and private hospitals varies between those funded directly or funded by private health insurance; and if she will make a statement on the matter. [35158/10]

Minister for Health and Children (Deputy Mary Harney): My Department does not have any information in relation to the cost of procedures in private hospitals, as such hospitals are outside the ambit of the Health Act and their costs are generally not available due to commercial considerations. In relation to the cost of procedures in public hospitals, this information is collected by the HSE in the context of the Casemix programme. I have therefore referred this matter to the HSE for direct reply.

251. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the number of procedures funded by private health insurers throughout the public and private health sectors in each of the past five years to date in 2010; and if she will make a statement on the matter. [35159/10]

252. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the extent, if any, to which she has monitored the number of surgical or medical procedures carried out throughout the public and private hospital sectors in the past 12 months; the extent to which such procedures have been funded through the general medical services or private health insurance; and if she will make a statement on the matter. [35160/10]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 251 and 252 together.

My Department does not routinely collate records relating to the number of surgical and medical procedures paid for by private health insurers in the public and private health sectors. The insurers are commercial organisations which buy services from a number of providers, some public, others private. As commercial organisations, they are not accountable to me or to my Department in relation to the number of procedures they undertake on behalf of their own insured membership. If the Deputy wishes to ascertain the relevant figures, I would suggest he may wish to contact the private health insurers directly.

Accident and Emergency Services

253. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the number and location of hospitals in the public and private sectors throughout the country currently experiencing delays at accident and emergency; the cause for any such delays; and if she will make a statement on the matter. [35161/10]

Minister for Health and Children (Deputy Mary Harney): The provision of data in relation to activity at publicly funded hospitals is a service matter and has been referred to the HSE for direct reply. Activity at private hospitals does not come within my remit.

Health Services

254. **Deputy Bernard J. Durkan** asked the Minister for Health and Children if she ever again

intends to reply directly to a parliamentary question relating to what the Health Service Executive might refer to as the day to day running of the health services, which in fact is the total annual cost divided by 365; if she accepts that the current policy of failure to accept direct responsibility for the funding she and her Department provides has culminated in the disintegration of the level and quality of health services at every level, the complete disenchantment of the public with its quality and standards and the frustration and confusion of those within the HSE who continue to strive to provide services against this backdrop; if she will even now at this stage take the responsibility for running the health services directly back into her Department where openness, transparency and accountability should and can be provided in this House; and if she will make a statement on the matter. [35162/10]

Minister for Health and Children (Deputy Mary Harney): The Health Act 2004 provided for the establishment of the Health Service Executive with effect from 1st January 2005 and the Executive was established with its own Vote, Vote 40. The HSE is the single body responsible for meeting Ireland's health and social care needs, providing thousands of services to young and old, in hospitals, health facilities and in communities across the country. These services range from public health nurses treating older people in the community to caring for children with challenging behaviour; from educating people how to live healthier lives, to performing highly-complex surgery; from planning for major emergencies, to controlling the spread of infectious diseases.

The establishment of the HSE represented the beginning of the largest programme of change ever undertaken in the Irish public service. Prior to this our health care services were delivered through a range of different agencies, each of which was independently answerable to the Department of Health and Children. It was a complex structure that made it difficult to provide nationally consistent health services. The decision of the Government to replace all these agencies with the HSE signalled the start of a new era in Irish health care. The arrangements for providing responses on detailed operational issues reflect the responsibilities set out in the Health Act 2004 and those attaching to the fact that the HSE has been given its own Vote by the Oireachtas.

255. **Deputy Bernard J. Durkan** asked the Minister for Health and Children when counselling will be offered to a family (details supplied) in County Kildare; and if she will make a statement on the matter. [35167/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): As this is a service matter it has been referred to the HSE for direct reply.

State Airports

256. **Deputy Joe Costello** asked the Minister for Transport the number of U.S. troops that have passed through Shannon Airport in each year since 2002; and if he will make a statement on the matter. [34443/10]

Minister for Transport (Deputy Noel Dempsey): I understand that US soldiers transiting through Shannon generally travel on chartered civilian airlines. My Department does not collate information with regard to the number of military troops on board civilian aircraft. However, on the basis of information collected by the Shannon Airport Authority, I understand the number of troops that have passed through Shannon Airport in each of the years in question is of the following order:

[Deputy Noel Dempsey.]

Year	Number
2002	73,000
2003	122,000
2004	159,000
2005	341,000
2006	281,000
2007	263,000
2008	256,000
2009	265,000
2010	161,000 (Jan-Aug)

Road Network

257. **Deputy Joe Costello** asked the Minister for Transport his plans for the construction of a new road between Dublin and Derry; the type of road envisaged; the timescale involved; the work that has been carried out to date; the projected cost of the section in the Republic; the contribution required for the Northern Ireland section from the Irish Exchequer; and if he will make a statement on the matter. [34446/10]

Minister for Transport (Deputy Noel Dempsey): Under the agreement of March 2007 between the Irish and British Governments on a funding package to support the restored Northern Ireland Executive, the Irish Government made a commitment to provide funding of £400/€580 million in a roads investment package for Northern Ireland which will contribute to the upgrading of the A5 road from Aughnacloy to Derry/Londonderry to dual-carriageway status. Drawdown depends on the achievement of agreed project milestones and clearance by the Cross-Border Roads Steering Group and North-South Ministerial Council. €9 million was provided in 2009 by the Government for the A5. Future project allocations will be agreed as normal in the context of the overall estimates process and in line with the agreed project milestones and payment schedule.

The A5 project is being implemented by the Roads Service of Northern Ireland (RSNI). With regard to the Republic of Ireland element of the project, in this jurisdiction, the Deputy will be aware that as Minister for Transport, I have responsibility for overall policy and funding in relation to the national roads programme element of Transport 21. The implementation of individual national road projects, including service areas, is a matter for the National Roads Authority (NRA) under the Roads Act, 1993 in conjunction with the local authorities concerned.

Road Safety

258. **Deputy Seán Sherlock** asked the Minister for Transport the efforts being made by his Department to counter the number of road deaths; and if he will make a statement on the matter. [34491/10]

Minister for Transport (Deputy Noel Dempsey): The core objective of the 2007-2012 Road Safety Strategy, with its 123 Actions spread across the areas of Education, Enforcement, Engineering and Evaluation, is to reduce road deaths to no greater than 60 fatalities per million population by the end of 2012. This is an average of 21 road deaths per month or 252 deaths per annum. 2009 saw the lowest number of road deaths on record at 240, an average of 20 road

deaths per month. The downward trend has continued into 2010 with 156 fatalities to end September, which is 21 less than on the same date last year.

While the core objective has been reached ahead of its target date, we must now concentrate our efforts in ensuring that the figure is not exceeded for each of the remaining years of the Strategy. The advancement of road traffic legislation forms a central part of this Government's strategic response to addressing road safety issues and reducing fatalities on our roads. The primary focus of the Road Traffic Act 2010, which provides for the reduction of the Blood Alcohol Concentration (BAC) for drivers and mandatory testing at collision sites, is to advance the road safety agenda through changing driver behaviour, particularly in the area of intoxicated driving.

Coast Guard Service

259. **Deputy Joe McHugh** asked the Minister for Transport if he will confirm that officers at other coast guard stations will not be transferred to Dublin coast guard radio to fill the positions that will be vacant arising from impending retirements at Dublin coast guard radio; and if he will make a statement on the matter. [34525/10]

260. **Deputy Joe McHugh** asked the Minister for Transport, further to Parliamentary Question No. 350 of 8 July 2010, when the new communications system at Malin, Valentia and Dublin coast guard stations will be installed and operational; if there are plans to transfer any staff from any of these coast guard stations to the Dublin station; and if he will make a statement on the matter. [34526/10]

Minister for Transport (Deputy Noel Dempsey): I propose to take Questions Nos. 259 and 260 together.

In relation to the impending retirements of staff at Marine Rescue Co-ordination Centre (MRCC) Dublin, every effort will be made to fill vacancies at the earliest possible date. It remains the practice for Coast Guard management to transfer staff between the stations on a temporary basis to address operational requirements, including in relation to the provision of staff, where they consider this necessary.

In relation to the new communications system at the three rescue co-ordination centres, refurbishment works are well advanced in the MRCC in Dublin. The testing of the installed Integrated Communications System (ICS) and the training for the staff are also well advanced. The ICS is expected to be live in Dublin in November next. The dual operation of the new and old equipment will last for about a month, after which the refurbished Dublin centre will go live.

The equipment for Malin and Valentia MRSCs has been delivered. In order to quickly activate the new ICS equipment in Malin, it will be installed in a nearby site on Crockalough late 2010/early 2011 and thereafter linked to the Malin station. When the new building on the Malin site is completed in 2014, subject to funding, the ICS equipment will be re-installed there. It will be necessary to close Malin for a number of weeks in 2011 to facilitate swapping over the equipment and clearing out the Operations Room. In Valentia, the existing buildings will be adapted to accommodate the ICS equipment. The Office of Public Works is currently scoping the scale of the work needed.

Rural Transport Services

261. **Deputy Tom Hayes** asked the Minister for Transport his plans for rural transport in

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County Tipperary, particularly relating to a particular town (details supplied); and if he will make a statement on the matter. [34570/10]

Minister for Transport (Deputy Noel Dempsey): The provision for the Rural Transport Programme (RTP) in 2010 is being maintained at €11 million in recognition of the important role it plays in combating social exclusion in rural Ireland. Thirty-six rural community transport groups, including Ring-A-Link which operates in Carlow, Kilkenny and Tipperary South Riding, are being funded under the Programme. The provision of services under the RTP is a matter for the individual rural transport groups. Local communities know where the transport needs are in their areas and how best to address them. My Department's role is one of facilitator through financial and administrative support, but communities themselves have the lead role in developing the transport services to fulfil these needs.

EU Directives

262. **Deputy Jim O'Keeffe** asked the Minister for Transport the number of EU directives awaiting transposition into law in his Department; the reasons for the delays; and the reaction of the European Commission in each case to such delays. [34940/10]

Minister for Transport (Deputy Noel Dempsey): There are 24 EU directives awaiting transposition into Irish law in my Department of which 3 are overdue. The EU has notified my Department of infringement proceedings on the overdue directives. However, Regulations to transpose all three Directives are at an advanced stage and are expected to be finalised and signed by year end.

Taxi Regulation

263. **Deputy Róisín Shortall** asked the Minister for Transport the progress made to date with regard to targets for wheelchair accessible taxis; and if he will indicate if and when the Commission for Taxi Regulation will provide a direct subsidy to assist drivers with the purchase of and running of wheelchair accessible taxis. [34966/10]

Minister for Transport (Deputy Noel Dempsey): Statistical information requested by the Deputy is available from the Commission for Taxi Regulation directly. As part of the Commission for Taxi Regulation's (CTR) continuing reforms for the small public service vehicle industry one of the key objectives for 2010 to 2011 is to improve accessibility of taxis and hackneys. The CTR has introduced a new category of wheelchair accessible hackney and new vehicle standards for both wheelchair accessible taxis and wheelchair accessible hackneys have been introduced for new licence applicants from the 8th June 2010. All existing wheelchair accessible taxis will be required to meet the new standards on renewal of their licence in 2012.

The CTR favours the provision of some financial assistance to wheelchair accessible licence holders to upgrade their vehicles by 2012. I have referred the CTR proposal to the National Transport Authority (NTA) for its consideration and decision as financial assistance will be a matter for the NTA following the incorporation of the CTR into the NTA.

Fishing Vessel Licences

264. **Deputy Joanna Tuffy** asked the Minister for Transport if he will give consideration to extending the deadline, beyond 1 October 2010 for 15 m to 24 m fishing vessels to meet the requirements for the new certificate of compliance; if his attention has been drawn to the fact that there are a large number of fishing boats around the coastline still waiting to be surveyed; if his Department is in a position to provide some financial support to assist hard-pressed

fishermen with the task of improving their vessels; and if he will make a statement on the matter. [34970/10]

Minister for Transport (Deputy Noel Dempsey): The development of safety regulations for fishing vessels dates back to the Fishing Vessel Safety Review group, which reported in 1996. One key recommendation made by that group was for the establishment of a safety regime for fishing vessels covering stability, strength, hull and machinery. Such a scheme was introduced in 1999 for fishing vessels greater than 24 m in length. A further scheme was introduced for fishing vessels less than 15 m in 2004.

Following fishing vessel tragedies in 2007 efforts focused on the development of a scheme for the fishing vessels in the 15 to 24 m length category. My Department developed regulations for such vessels based on international standards and these regulations were subject to extensive public consultations, following which the regulations entered into force in September of that year. A phased approach was adopted in implementing the regulations, with all new fishing vessels to comply by the 1 October 2007, fishing vessels up to ten years old to comply by 1 October 2008 and fishing vessels up to 20 years old to comply by 1 October 2009. This October the remainder of the fleet have to comply.

The majority of owners in the fishing vessel class in question have already made application for inspection to the Marine Survey Office (MSO) of my Department and the surveyors are continuing to work with these owners to ensure that vessels can progressively be brought up to compliance standards as quickly as possible. I would, therefore, encourage any vessel owner who has yet to apply to do so now and to engage with the MSO on progressing his/her vessel towards compliance. As these are key safety regulations and as there has been extensive consultation with the fishing industry and engagement by the majority of vessel owners in the class it is better not to extend the deadline for compliance. As my Department fulfils the safety regulator role it does not provide financial support to the fishing industry.

Asylum Support Services

265. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice and Law Reform when the joint Health Service Executive and Reception and Integration Agency forum was established; and the number and frequency of its meetings. [34596/10]

266. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice and Law Reform the measures that the Health Service Executive has recommended to the Reception and Integration Agency, in the course of the joint HSE and RIA forum, to avoid the sudden transferral of asylum seekers. [34597/10]

267. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice and Law Reform when a Health Service Executive official with responsibility for child and family health related services within the asylum system will be seconded to the Reception and Integration Agency. [34598/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I propose to take Questions Nos. 265 to 267, inclusive, together.

The Reception and Integration Agency (RIA) and its predecessor, the Directorate for Asylum Support Services (DASS), have consistently engaged with the HSE through a number of fora since the introduction of the Government policy of direct provision. Discussions take place through inter-agency meetings, health liaison officer meetings, medical screening service meetings, working groups on matters such as healthy infant feeding guidelines, child protection,

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national parenting programme, psychological and other health service groups. It is important to note that the policy of direct provision involves, at its core, the provision of appropriate services directly to asylum seekers, i.e. are “mainstreamed”, by the relevant Government Departments and agencies such as the HSE.

The High Level policy structure for meetings between the HSE (Social Inclusion Directorate) and RIA was set up in 2009 and 6 meetings have taken place with the latest such meeting held on 4 October, 2010. At these High Level policy meetings, all matters of common interest between the HSE and RIA are open for discussion. However, no formal position has been presented by the HSE in respect of RIA’s policy on the transfer of residents between its accommodation centres at these meetings although, at the last meeting, a discussion took place in relation to the issue of advance notification to the HSE by RIA of planned closures or openings of centres to facilitate planning by the HSE.

In respect of the secondment to the RIA of an official from the HSE dealing with Child and Family Services, it should firstly be noted that the unit within RIA which deals with such services continues to operate, including in respect of child protection, Garda vetting and other key services. The officer previously seconded to the RIA from the HSE returned to the HSE in May of 2010 and the RIA has since written to and met with the HSE in respect of potential replacement candidates. The RIA is continuing to communicate with the HSE in the matter with a view to securing a replacement as soon as possible.

Child Abduction

268. **Deputy Finian McGrath** asked the Minister for Justice and Law Reform if he will support the case of a person (details supplied) in Dublin 5. [34607/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): The Central Authority for Child Abduction operates in my Department for the purposes of, among other international instruments, the Hague Convention on the Civil Aspects of International Child Abduction. The Convention is designed to ensure the prompt return of children who have been removed from one contracting state to another — usually by a parent in defiance of the wishes of the other parent. It is based on the principle that the custody of a child should be decided by courts in the state in which the child habitually resides. The Convention is in force in over 80 countries world-wide. Both Ireland and the United States of America are contracting parties to the Hague Convention.

Where a child under the age of 16 is wrongfully removed from the State in breach of guardianship or custody rights, the person whose rights have been breached can make an application to our Central Authority for Child Abduction for the return of the child. The Authority can be contacted for assistance at 01 4790200 or by e-mail. Details in relation to the Authority and the Convention are available on my Department’s website at www.justice.ie/en/JELR/Pages/International__child__abduction.

Garda Records

269. **Deputy Ruairí Quinn** asked the Minister for Justice and Law Reform, further to the Hutchinson report into the Claudy bombing, if a person (details supplied), ever came into contact with the authorities here either prior to the bombing, subsequent to his transfer into the State or during the intervening period; and if he will make a statement on the matter. [34620/10]

270. **Deputy Ruairí Quinn** asked the Minister for Justice and Law Reform, further to the Hutchinson report into the Claudy bombing, to confirm if the authorities here possess a record outlining the origins, education, ordination and pastoral career of a person (details supplied), in view of their status as a prime suspect of terrorist activity; and if he will make a statement on the matter. [34621/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I propose to take Questions Nos. 269 and 270 together.

While the Deputy will appreciate that it would not be normal practice to disclose information of the kind sought, in the exceptional circumstances of the case, I can tell the Deputy that I am informed by the Garda Authorities that there is no indication that the person to whom the Deputy refers ever came into contact with An Garda Síochána prior to the Claudy bombing, subsequent to his transfer into the State or during the intervening period. In relation to the Deputy's second question, the possession of such records would not be a matter of Ministerial responsibility.

Citizenship Applications

271. **Deputy Joe Behan** asked the Minister for Justice and Law Reform if he will provide information regarding the case of a person (details supplied); and if he will make a statement on the matter. [34914/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I am not in a position by way of answer to a Parliamentary Question to indicate whether or not individual naturalisation or recognition of citizenship cases will succeed. The position generally in respect of the matter raised by the Deputy is as follows.

Section 6A of the Irish Nationality and Citizenship Acts 1956-2004 provides that a person born in the island of Ireland shall not be entitled to be an Irish citizen unless a parent of that person has, during the period of 4 years immediately preceding the person's birth, been resident in the island of Ireland for a period of not less than 3 years or periods the aggregate of which is not less than 3 years. The section does not apply to certain persons including those born to parents one of whom is at the time of the person's birth an Irish citizen, British citizen or a person entitled to reside without restriction. For the purpose of calculating reckonable residence under section 6A certain residence is excluded from consideration including unlawful residence, residence covered by a permission granted under Section 4 of the Immigration Act, 2004 for the purpose of study and residence covered by a provisional permission granted pending determination of an asylum application.

Parents may apply for a passport for a child to the Passport Office of the Department of Foreign Affairs on the basis that the child may have an entitlement to Irish citizenship. The Passport Office makes an assessment of the parent's reckonable residency through an examination of their permission stamps. If the parents do not have sufficient residency and the child does not have an entitlement to citizenship, then it will be open to the parent of the child to make an application for a certificate of naturalisation on their behalf under section 15 of the Act, when the child has 5 years reckonable residency in the State.

Garda Strength

272. **Deputy Michael Ring** asked the Minister for Justice and Law Reform the number of gardaí in the State at present; the number of recruits that will be taken on; and if he will make a statement on the matter. [34439/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I have been informed by the Garda Commissioner that the personnel strength of An Garda Síochána, on the latest date for which figures are readily available, was 14,615. Applicants who are currently on a panel and have gone through the medical, physical and character vetting procedures, and are available, will be offered positions as Garda Trainees, in strict order of where they were placed on the panel, upon the resumption of recruitment. I recently announced a Garda recruitment campaign to establish a panel of approved candidates who will be available to meet future Garda recruitment needs.

Citizenship Applications

273. **Deputy Paul Gogarty** asked the Minister for Justice and Law Reform when a person (details supplied) in Dublin 22 may expect to receive an answer regarding their citizenship application; and if he will make a statement on the matter. [34444/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): A valid application for a certificate of naturalisation from the person referred to in the Deputy's Question was received in the Citizenship Division of my Department in February 2008. All valid applications are dealt with in chronological order as this is deemed to be the fairest to all applicants. The average processing time from application to decision is now at 26 months. More complicated cases can at times take more than the current average, while an element of straight forward cases can be dealt with in less than that timescale. Officials in the Citizenship Division inform me that processing of the application is ongoing and the file will be submitted to me for a decision in due course.

The length of time taken to process each application should not be classified as a delay, as the length of time taken for any application to be decided is purely a function of the time taken to carry out necessary checks. There is a limit to the reduction in the processing time that can be achieved as applications for naturalisation must be processed in a way which preserves the necessary checks and balances to ensure that it is not undervalued and is only given to persons who genuinely satisfy the necessary qualifying criteria.

I should remind the Deputy that queries in relation to the status of individual Immigration cases may be made direct to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Vetting of Personnel

274. **Deputy John O'Mahony** asked the Minister for Justice and Law Reform when a person (details supplied) in County Mayo will receive their Garda vetting; and if he will make a statement on the matter. [34451/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I am informed by the Garda authorities that a vetting application was received by the Garda Central Vetting Unit in respect of the person to whom the Deputy refers. A response to the application was returned to the registered organisation involved on 10 September 2010.

Citizenship Applications

275. **Deputy Michael Ring** asked the Minister for Justice and Law Reform when an application for naturalisation will be approved in respect of a person (details supplied) in County Mayo. [34456/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): A valid application for a certificate of naturalisation from the person referred to in the Deputy's Question was received in the Citizenship Division of my Department in August 2007. All valid applications are dealt with in chronological order as this is deemed to be the fairest to all applicants. The average processing time from application to decision is now at 26 months. More complicated cases can at times take more than the current average, while an element of straight forward cases can be dealt with in less than that timescale. Officials in the Citizenship Division inform me that processing of the application is ongoing and the file will be submitted to me for a decision in due course.

The length of time taken to process each application should not be classified as a delay, as the length of time taken for any application to be decided is purely a function of the time taken to carry out necessary checks. There is a limit to the reduction in the processing time that can be achieved as applications for naturalisation must be processed in a way which preserves the necessary checks and balances to ensure that it is not undervalued and is only given to persons who genuinely satisfy the necessary qualifying criteria.

I should remind the Deputy that queries in relation to the status of individual Immigration cases may be made direct to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Coroner Service

276. **Deputy Mary Wallace** asked the Minister for Justice and Law Reform if his attention has been drawn to the service provided by the Living Links committee in the County Meath coroner's service; if such a service could be replicated in developing coroner's services in the greater Dublin area and throughout the country; and if he will make a statement on the matter. [34462/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): Coroners are independent office holders with responsibility under the law for the medicolegal investigation into the circumstances of sudden, unexplained, violent and unnatural deaths. Living Links is a voluntary group who provide support and outreach to those bereaved by suicide. My Department is aware of the service provided by the Living Links, not just in County Meath, but on a national level. While coroners have been made aware of the organisation, it is not part of a coroner's function in regard to death investigation to refer bereaved people to this or any other support organisation.

Garda Equipment

277. **Deputy Pat Breen** asked the Minister for Justice and Law Reform the cost of servicing and repairing all Garda vehicles for the years 2007, 2008 and 2009 and to date in 2010; the number of new vehicles purchased for the same periods; and if he will make a statement on the matter. [34481/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): In the time available it has not been possible for the Garda authorities to provide the information requested by the Deputy. I will be in contact with the Deputy when the information is to hand.

Garda Investigations

278. **Deputy Finian McGrath** asked the Minister for Justice and Law Reform if he will support a matter (details supplied). [34497/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I am informed by the Garda authorities that the location referred to is within the Clontarf Garda Sub-District. Local Garda management has no record of complaints of speeding by the transport provider referred to at the location. Any offences coming to the attention of An Garda Síochána will be investigated and dealt with appropriately. There is a designated community Garda for the area who is in regular contact with the residents of the area, which is regularly patrolled by mountain bike, foot and mobile patrols, including the Divisional Traffic Unit, which has carried out checkpoints at the location.

Local Garda management closely monitors and keeps under review patrols and other operational strategies in place, in conjunction with crime trends and policing needs of the communities in the area, to ensure optimum use is made of Garda resources and the best possible Garda service is provided to the public. The deployment of Garda traffic resources is prioritised with the objective of preventing traffic collisions.

279. **Deputy Finian McGrath** asked the Minister for Justice and Law Reform if he will provide an update on a matter (details supplied). [34498/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I will communicate further with the Deputy when the up to date information he has sought is to hand.

Departmental Properties

280. **Deputy Finian McGrath** asked the Minister for Justice and Law Reform when the new State pathologist and Dublin city coroner's complex in Marino, Dublin 3, will be completed and the approximate cost of same. [34499/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): The capital project to which the Deputy refers is a joint venture between my Department and Dublin City Council to provide a new state-of-the-art facility for the Office of the State Pathologist and the Dublin City Coroner's Office at Marino, Dublin 3. The building which will entirely overhaul and modernise the facilities for use in death investigation and forensic pathology is due to be completed by autumn 2011. The projected final total cost of the project will be in the order €13.8m of which construction costs amount to €7.4m. Funding is being provided by my Department and Dublin City Council on a two-thirds to one-third basis, respectively. The site has been provided by Dublin City Council. By proceeding with the project now full advantage is being taken of the current highly competitive trading environment in the construction sector and I can inform the Deputy that the development is costing approximately 40% less than it would have three to four years ago.

Residency Permits

281. **Deputy Olwyn Enright** asked the Minister for Justice and Law Reform the criteria for residency in respect of a person (details supplied) who wishes to return to Ireland; and if he will make a statement on the matter. [34531/10]

283. **Deputy Olwyn Enright** asked the Minister for Justice and Law Reform the criteria for residency in respect of a person (details supplied) who is currently living in Kazakhstan and married to an Irish citizen who wishes to return to Ireland; and if he will make a statement on the matter. [34565/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I propose to take Questions Nos. 281 and 283 together.

Marriage to an Irish national does not confer an automatic right of residence in the State. A non EEA national who wishes to reside in the State on the basis of their marriage to an Irish national must make an application for permission to remain in the State. Such applications for residency will only be considered from applicants who are resident in the State at the time of application.

The person referred to by the Deputy should make an application for the appropriate visa to enter the State via the visa online application system currently hosted on the Irish Naturalisation & Immigration Service (INIS) website. Full information surrounding the correct procedures to be followed in respect of lodging a visa and residency application on the basis of marriage to an Irish national is available at “www.inis.gov.ie” listed under their headings.

I should remind the Deputy that, for future queries in relation to the status of individual Immigration cases, these may be made direct to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

282. **Deputy Jack Wall** asked the Minister for Justice and Law Reform the position regarding an application to renew their stamp 4 status in respect of a person (details supplied) in County Kildare. [34538/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I wish to inform the Deputy that the person in question was granted permission to remain in the State for a 2 year period in October of 2005 under the revised arrangements for non-EEA parents of Irish children born in Ireland prior to 1 January 2005, commonly known as the IBC/05 scheme. This permission was subsequently renewed in 2007 for 3 years and is currently valid up to 10 October 2010. Officials of my Department are currently examining the case file and will correspond directly with the person concerned in due course concerning her future status in the State.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made directly to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Question No. 283 answered with Question No. 281.

Departmental Contracts

284. **Deputy John O'Mahony** asked the Minister for Justice and Law Reform the services that are being outsourced by the Land Registry to companies outside the State and list the services and locations of the companies in tabular form; and if he will make a statement on the matter. [34610/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I can inform the Deputy that the contracts listed below were awarded after a tendering process which was carried out under EU procurement rules and in accordance with established public sector guidelines.

1. “Complete Integrated Title Registration Information System (ITRIS)”. The contract runs from 2004 to 2010. The contract was awarded to a Danish company, BlomInfo AG with subcontractors Data Entry Bureau who are based in Dublin. It is expected that this project will be completed in October 2010.

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2. “Digital Mapping Contract No 2 — Data Capture”. The contract ran from 2004 to August 2010. It was awarded to LandMark Information Group Ltd. England, who were the lead company in the successful consortium, with subcontractors including RMSI Ltd of Noida, India.

Departmental Correspondence

285. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice and Law Reform, further to Parliamentary Question No. 174 of 30 June 2010, if he has received correspondence from a centre (details supplied) in County Cork on the need for an independent complaints mechanism in direct provision centres; if, in view of the issues raised in that letter, he will agree to the establishment of such a mechanism; and if he will make a statement on the matter. [34807/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): As set out in the aforementioned PQ reply, I am informed by the Reception and Integration Agency (RIA) that the rules and procedures for RIA accommodation centres, which includes a complaints mechanism, were recently revised arising from a report from a Working Party, the membership of which included the Refugee Information Service and the Irish Refugee Council. The House Rules document which was agreed by that Working Party clearly sets out a working complaints mechanism for use by residents and staff alike at RIA accommodation centres. This includes streams for informal and formal complaints and allows for local resolution as well as referral to the RIA.

As stated previously, the system of direct provision is *sui generis* and it remains the case that the complaints resolution procedure set out in the House Rules is considered to be the only one appropriate to the circumstances which obtain in that system. In these circumstances, the structure of the complaints procedure contained within the revised House Rules is broadly in line with the guidelines set out by the Office of the Ombudsman for internal complaints systems.

Departmental Properties

286. **Deputy Alan Shatter** asked the Minister for Justice and Law Reform if lands (details supplied) in Dublin 17 have been rented by or for the use of An Garda Síochána; the purpose for which any such land will be used; the identity of the owner of the land; details of any financial arrangements relating to the rental of the land; and if he will make a statement on the matter. [34824/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): In the time available it has not been possible to obtain information from the Garda authorities in relation to the issues raised by the Deputy. I will be in contact with the Deputy further concerning the matter.

Citizenship Applications

287. **Deputy Alan Shatter** asked the Minister for Justice and Law Reform the number of applicants for Irish citizenship whose applications are awaiting decision; the number of applicants whose applications are awaiting decision for in excess of 12 months but less than 18 months; and the numbers whose applications are awaiting decision for in excess of 18 months and not more than two years; and the numbers awaiting decisions for in excess of two years. [34830/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): There are currently approximately 21,500 applications for naturalisation with the Citizenship Division of my Department

that are still awaiting a decision. This is primarily due to the significant increase in the volume of applications received in the last number of years. Approximately 5,000 (23%) of applications are on hand for more than 2 years. Circa 16,500 (77%) are on hand from a current date up to 2 years.

A Certificate of Naturalisation is an exceptional and important document that facilitates a non-national becoming a citizen of Ireland. The making of an application for a certificate of naturalisation is an individual's choice. The granting of Irish Citizenship through naturalisation is a privilege and an honour and not an entitlement. Applications must be processed in a way which preserves the necessary checks and balances to ensure that it is not undervalued and is only given to persons who genuinely satisfy the necessary qualifying criteria.

Asylum Applications

288. **Deputy Alan Shatter** asked the Minister for Justice and Law Reform the number of foreign nationals who have been refused entry permission to the State in each of the past five years. [34831/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I have been informed by the Garda National Immigration Bureau that the following table shows the number of people who have been refused leave to land pursuant to the provisions of the Immigration Act 2004 at Ports of Entry to the State for 2005 to 2010.

Year	Number
2005	4,893
2006	5,885
2007	6,991
2008	5,394
2009	3,857
2010	1,244 (to 31st May)

Illegal Immigrants

289. **Deputy Alan Shatter** asked the Minister for Justice and Law Reform the number of foreign nationals who have illegally entered the State and who are to be deported who are currently in prison or in a place of detention; the nationalities of the persons concerned and those so held for less than three months, for between three to six months, for between six to 12 months and for in excess of 12 months. [34832/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): The information sought by the Deputy is being compiled and will be conveyed to him at the earliest possible date.

Public Order Offences

290. **Deputy Finian McGrath** asked the Minister for Justice and Law Reform if he will support a matter (details supplied). [34840/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): Uncivil and antisocial behaviour can have a negative effect on a person's quality of life, particularly for older persons. If an older person, or any other person, considers that they have been the victim of criminal behaviour, they should report it to their local Garda station, and their complaint will be fully investigated.

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The Garda Commissioner and I recently launched An Garda Síochána's Older People Strategy, which has been developed to ensure the policing needs of older people in Ireland are met to the highest possible standard. The Strategy sets out current initiatives through which An Garda Síochána are working with members of the public. Many of these initiatives can assist older people who consider they are victims of uncivil or antisocial behaviour.

Among the initiative proposed by the Strategy is the delivery of high visibility targeted patrolling, both mobile and foot, in neighbourhoods where older people reside and congregate. Local Garda management closely monitors and keeps under review patrols and other operational strategies in place, in conjunction with crime trends and policing needs of communities, to ensure optimum use is made of Garda resources and the best possible Garda service is provided to the public.

Community Gardaí throughout the country are designated for specific areas and are in regular contact with the residents of these areas. Community Gardaí provide a number of initiatives to benefit older people, such as Senior Citizen Information Days. An Garda Síochána encourages older people to maintain contact with their local community Gardaí and discuss any problem they may have with them. An Garda Síochána works closely with Neighbourhood Watch and Community Alert Schemes, which are very supportive of older people both as people active in their community and as beneficiaries of their initiatives and would be happy to provide advice to any older people who contact them.

Proposed Legislation

291. **Deputy Darragh O'Brien** asked the Minister for Justice and Law Reform when he anticipates the publication of the draft heads of the Bill for the regulation of the gaming sector, which was due to be published in the first quarter of 2010; and if he will make a statement on the matter. [34842/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): The Deputy will be aware from previous replies that I initiated a major review of gambling with the objective of providing me, in the first instance, and then the Government, with options for a new policy to inform our gambling architecture. It is a matter of record that Governments of different hues have shied away from attempting any significant reform of our gambling laws since our existing gaming and lotteries legislation was enacted over 50 years ago. Notwithstanding the foregoing, however, I am resolved to make our gambling laws relevant to the 21st century. In light of this commitment, I make no apology for taking the time to make sure this is done effectively. Therefore, the question of publishing legislation does not arise at this time. We must first finish settling policy in relation to a new gambling architecture.

Any such new policy aimed at modernising our gambling code must take account of the challenges and threats, but also opportunities, presented by new technologies, particularly the internet. In addition, policy must also be premised on the three important considerations which are the hallmark of most well-regulated gambling codes. These are:

- that young people and the vulnerable are protected
- that gambling should in all respects be fairly and openly conducted and
- that gambling is kept free of crime.

Following the settling of that policy, arrangements will be made in the normal course to address the necessary legislative change. As the first comprehensive review of our gambling law, effec-

tively since the enactment of the Gaming and Lotteries Act 1956 draws to a close, it is reasonable to expect that any new legislation that may arise, will be both complex and comprehensive.

Prison Service

292. **Deputy Alan Shatter** asked the Minister for Justice and Law Reform if the Irish Prison Service has put the purchase of tractors out to tender; if he will confirm the number of tractors it proposes to purchase; the use to which they will be put; and if he will make a statement on the matter. [34901/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I wish to inform the Deputy that the Irish Prison Service are currently conducting a tender competition for the purchase of three tractors. It also plans to purchase a fourth tractor from an existing National Procurement Service contract for the supply of tractors. The tractors are being purchased to replace existing tractors which require constant repair and maintenance due to their age.

The Irish Prison Service intend to use the tractors at its two open centres, Shelton Abbey and Loughan House. There are already significant agricultural, horticultural and other environmental activities in the two open centres, which between them have in the region of 125 acres of land surrounding the accommodation units. Both centres have had substantial increases in prisoner populations in recent years and it is intended to extend the range of outdoor activities and increase the daily employment and vocational training opportunities for the prisoners.

EU Directives

293. **Deputy Jim O’Keeffe** asked the Minister for Justice and Law Reform the number of EU directives awaiting transposition into law in his Department; the reasons for the delays; and the reaction of the EU Commission in each case to such delays. [34937/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): My Department has responsibility for four EU Directives which are awaiting transposition into law. Three of these are overdue, namely: Council Directive 2005/85/EC of 01 December 2005 on minimum standards on procedures in Member States for granting and withdrawing refugee status.

On 1 September 2010, the European Commission instigated further infringement proceedings against Ireland for failing to transpose fully this Directive. The matter is under consideration by my Department with a view to lodging a defence on behalf of Ireland in this case. Council Directive 2006/24/EC of the European Parliament and of the Council of 15 March 2006 on the retention of data generated or processed in connection with the provision of publicly available electronic communications services or of public communication networks and amending Directive 2002/58/EC.

The European Commission issued infringement proceedings against Ireland on 5th June 2009 for failure to transpose the Directive on time. Legislation to transpose this Directive is currently before the Oireachtas. Council Directive 2008/51/EC of the European Parliament and of the Council of 21 May 2008 amending Council Directive 91/477/EEC on control of the acquisition and possession of weapons.

The European Commission initiated infringement proceedings on 17th September 2010 in respect of the above mentioned Directive. I understand that the necessary legislation to transpose this Directive will be completed shortly.

The remaining Directive which is to be implemented but is not overdue is: Council Directive 2008/52/EC of the European Parliament and of the Council of 21 May 2008 on certain aspects

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of mediation in civil and commercial matters. The deadline for transposing this Directive is 21st May 2011.

Citizenship Applications

294. **Deputy Jim O’Keeffe** asked the Minister for Justice and Law Reform the average delay in the processing of applications for citizenship; the reasons for such delays; if these delays can be reduced; and if he will make a statement on the matter. [34942/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): The length of time taken to process each application should not be classified as a delay, as the length of time taken for any application to be decided is purely a function of the time taken to carry out necessary checks. The average processing time from application to decision for the generality of valid applications for a certificate of naturalisation is currently 26 months and this has been maintained despite the substantial increases in the volume of applications received in recent years. This has been possible as a result of the allocation of additional resources to the division and the implementation of further refinements to procedures. The procedures employed to assess an applicant for naturalisation are summarised below.

Upon receipt, an initial examination of each application is carried out to determine if the statutory application is completed fully. Incomplete application forms are returned to the applicant for amendment. Valid applications are then examined to determine if the applicant meets the statutory residency criteria set out in the Irish Nationality and Citizenship Act. Passports and other documentation are examined in detail and enquiries with the Garda National Immigration Bureau may also be necessary.

Further processing takes place at a later stage and involves assessing an applicant’s financial status in respect of their ability to support themselves in the State. Enquiries with the Revenue Commissioners and the Department of Social and Family Affairs may be necessary in this regard. Enquiries are also made with the Garda Síochána in order that I can be satisfied that the applicant is of good character. Depending on the complexity of any given case, these processes can take a lengthy time to complete. Once all enquiries are completed, the application is referred to me for a decision.

The Deputy will appreciate that the granting of Irish citizenship through naturalisation is an honour and applications must be processed in a way which preserves the necessary checks and balances to ensure that it is not undervalued and is given only to persons who satisfy the necessary qualifying criteria. These procedures have been developed and refined over a number of years and I am satisfied that they are necessary to maintain the integrity of the naturalisation process.

295. **Deputy Jim O’Keeffe** asked the Minister for Justice and Law Reform if a road traffic offence, a suspected road traffic offence or a non-conviction regarding a road traffic offence, are regarded as sufficient grounds for an applicant for naturalisation being deemed to have come to the adverse attention of the Garda and accordingly are denied naturalisation; if he considers such an approach to be unfair; and if he will make a statement on the matter. [34984/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): The granting of Irish Citizenship through naturalisation is a privilege and an honour and not an entitlement. The Irish Nationality and Citizenship Act, 1956, as amended, provides that the Minister may, in his absolute discretion, grant an application for a certificate of naturalisation provided certain

statutory conditions are fulfilled. One such condition is that the Minister must be satisfied that the applicant is of good character. It would be inappropriate for me to indicate what might or might not specifically constitute good character in this context as to do so could be interpreted as a fettering of the absolute discretion given to the Minister in the Act. However, I would nevertheless be concerned to ensure that the threshold of what constitutes good character is taking all things into account maintained at an appropriate level and as such is fair to all applicants having regard to their particular circumstances.

296. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice and Law Reform the number of persons granted citizenship status, by county of residency, since 2007. [35004/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I am informed by the Citizenship Division of my Department that statistics are not compiled in such a manner as to provide the information sought by the Deputy.

Commercial Rent Reviews

297. **Deputy Lucinda Creighton** asked the Minister for Justice and Law Reform the steps he has taken to implement the recommendations of the report of the working group on transparency in commercial rent reviews; and if he will make a statement on the matter. [35028/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I have undertaken to progress the recommendations of the Working Group on transparency in commercial rent reviews contained in the report which was published in August. The Working Group recommended the establishment of a public database containing relevant details of letting arrangements and rent reviews in the commercial property market. An appropriate amendment is being developed within the Department for inclusion in the Property Services (Regulation) Bill 2009 which would see the Property Services Regulatory Authority being given responsibility for the management of the database. The precise operational details pertaining to the database have yet to be finalised.

Also amongst the recommendations is the adoption, by landlords and tenants alike, of the rent review arbitration code which is appended to the report and which is intended to achieve a uniform and transparent procedure for the resolution of disputes in the sector. The Group which I established had representatives from all of the key stakeholders in the commercial property market. They have all signed up to the Report and I am confident that there is a willingness to implement its recommendations.

The Group has also made a number of ancillary recommendations which are largely intended to point parties in the direction of good practice. For example, it is recommended that rent reviews take place as close to the review date as is possible to avoid any unnecessary lag between the market conditions prevailing at that date and those at the time the review actually takes place.

Official Engagements

298. **Deputy Lucinda Creighton** asked the Minister for Justice and Law Reform if he will give details of his recent meeting with the Stormont Minister for Justice and the Scottish Cabinet Secretary for Justice; if he will outline the action he intends to take as a result of this meeting; and if he will make a statement on the matter. [35029/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I met with Northern Ireland Minister of Justice David Ford MLA and Scottish Cabinet Secretary for Justice Kenny

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MacAskill MSP on 27 September 2010 at Stephenstown Pond in Co. Louth. The genesis of this meeting lies in discussions in bilateral meetings I had previously held with both Ministers. I met with Mr. MacAskill in April 2010, to build on contact at official level and with a view to discussing areas of common interest and exploring the exchange of policy ideas and best practice. I have met regularly with Mr. Ford since his appointment, both under the aegis of the Intergovernmental Agreement on Cooperation on Criminal Justice Matters and informally, to discuss matters of cooperation and common interest in the justice and policing spheres. Most recently, we opened and addressed the Cross Border Organised Crime Seminar currently being held in Belfast.

Given the similar issues faced by our three jurisdictions and the cultural similarities and historical ties between Scotland and Ireland as a whole, I was convinced we could benefit from meeting together, particularly in the context of ensuring closer cooperation in meeting the challenges posed by organised crime in particular. At the meeting we discussed, inter alia, human trafficking, organised crime, forensic science, DNA legislation and police training.

In relation to human trafficking I outlined the measures being taken in this jurisdiction, including the enactment of the Criminal Law (Human Trafficking) Act 2008 and the provisions contained in the Immigration, Residence and Protection Bill. We discussed the possibility of including human trafficking as a discrete area of co-operation under the Intergovernmental Agreement, and committed to building on current links with the Scottish Government in this area. Minister Ford and I discussed plans to develop a Memorandum of Understanding between our Forensic Science Laboratory and Forensic Science Northern Ireland to provide for mutual support in the event of sudden loss or damage to facilities. In the context of the introduction of our own DNA Bill, Cabinet Secretary MacAskill outlined the Scottish regime with regard to the retention of DNA samples, which was recently praised by the European Court of Human Rights.

On police training, we already have excellent cooperation with the PSNI, including under the provisions of the Intergovernmental Agreement on Police Cooperation. Since my meeting with Mr MacAskill earlier this year, invitations have been extended to senior Scottish police officers to participate on the Executive Leadership training course at Templemore, and I expect at least one Scottish participant on the course in the coming months.

Regarding initiatives to reduce offending, I briefed the meeting on the White Paper on Crime process which is currently being undertaken. Cabinet Secretary MacAskill and Minister Ford shared details of recent developments in Scotland and Northern Ireland. There was also a discussion relating to the threat posed by paramilitary groups. Overall, it was very useful to meet with Mr. Ford and Mr. MacAskill together and it is a relationship that I intend to pursue for the benefit of all the people of Ireland and Scotland.

Commemorative Events

299. **Deputy Frank Feighan** asked the Minister for Foreign Affairs the initiatives being planned by the Government to mark the UN International Year of Co-operatives 2012; and if he will make a statement on the matter. [34475/10]

Minister for Foreign Affairs (Deputy Micheál Martin): The United Nations General Assembly has designated 2012 the International Year of Cooperatives. The aim is to highlight the contribution of cooperatives to socio-economic development and to draw attention to their impact on poverty reduction, employment generation and social inclusion. It is hoped that this UN initiative will help enhance public awareness of cooperatives and their contribution to socio-economic development, and encourage the formation and growth of cooperatives inter-

nationally. Governments are being encouraged to establish effective legal, regulatory and policy frameworks to support the development of the cooperative movement. The Government supports this UN initiative. We welcome the fact that the Resolution on the subject was adopted unanimously by the UN General Assembly last December.

The UN Resolution was proposed following the publication in July 2009 of a report by the UN Secretary General on the socio-economic impact of the cooperative movement. The report underscored the importance of cooperatives to socio-economic development and noted the role that agricultural and financial cooperatives play in contributing to a more resilient and inclusive financial system, and to long-term solutions for food security. It also noted that the designation of an International Year of Cooperatives could provide an opportunity to highlight the role of cooperatives in wider global development issues.

The International Year will be launched officially in New York in November 2011, and a wide range of activities and events is planned across the world. I understand that regional cooperative assemblies are to be held in 2012, and expect that Irish cooperatives will engage fully with the European assembly.

The cooperative sector in Ireland plays an important role nationally, and has developed important international links. It covers a number of sectors, including agriculture, finance, enterprise and social development. Responsibility for the sector at Government level is shared across a number of Government Departments. The Government welcomes the opportunity provided by the designation of the International Year to focus on the contribution of the cooperative sector to economic growth and social development, and to the reduction of poverty and hunger in the developing world.

Northern Ireland Issues

300. **Deputy Ruairí Quinn** asked the Minister for Foreign Affairs, further to the Hutchinson report into the Claudy bombing, if he will confirm if the Irish Government or the authorities here ever received any direct or indirect representations or proposals from the then British Secretary of State for Northern Ireland or the Cardinal Primate of All Ireland to transfer a person (details supplied) into the jurisdiction of the State; if so, the terms of the proposal; the response given by the Irish Government to any proposal; and if he will make a statement on the matter. [34618/10]

Minister for Foreign Affairs (Deputy Micheál Martin): No record of the authorities of the State having received any such representations or proposals has been located in my Department.

301. **Deputy Ruairí Quinn** asked the Minister for Foreign Affairs, further to the Hutchinson report into the Claudy bombing, to confirm if the authorities here have received any notification from the British Secretary of State for Northern Ireland or the Cardinal Primate of All Ireland that a person (details supplied) was transferred to Donegal; if so to indicate when and how this was done; and if he will make a statement on the matter. [34619/10]

Minister for Foreign Affairs (Deputy Micheál Martin): No record of the authorities of the State having received any such notification has been located in my Department.

Human Rights Issues

302. **Deputy Finian McGrath** asked the Minister for Foreign Affairs if he will raise a matter at U.N. and E.U. levels. [34664/10]

Minister for Foreign Affairs (Deputy Micheál Martin): I drew attention to the deteriorating human rights situation in Iran in my address to the UN General Assembly on 27 September. In my remarks, I called upon Iran to respect and fulfil the international obligations it has undertaken in the field of human rights. I referred to some profoundly disturbing recent instances of human rights abuses, including the appalling sentencing of Ms Sakineh Mohammadi Ashtiani to death by stoning for adultery. The case of Ms. Ashtiani had been raised previously with the Iranian Ambassador to Ireland by officials in my Department, who conveyed in the strongest terms that Ireland is completely opposed to the use of stoning, a practice which has no place in the twenty-first century.

I have also made clear our concerns about the treatment of human rights in Iran in contacts with members of the Iranian Government, most recently at a meeting which I had with Foreign Minister Mottaki in Dublin on 9 June. I have written to Foreign Minister Mottaki on a number of occasions to express my concerns about, and to raise specific aspects of, the human rights situation in Iran.

Ireland has also been active in raising issues relating to human rights in Iran within the specific UN bodies which deal with human rights. Along with our EU partners, we have traditionally supported the annual Resolution on the human rights situation in Iran which is adopted by the General Assembly. In our national intervention at the current UN Human Rights Council session in Geneva on 17 September, we raised concerns relating to the death penalty in Iran. Stoning is a particularly cruel method of execution which amounts to torture. Such sentences are in clear violation of Iran's international obligations under the International Covenant for Civil and Political Rights. I urge the Iranian authorities to introduce a moratorium on executions pending the abolition of the death penalty in accordance with UN General Assembly resolutions 62/149 and 63/168.

The EU has also been pressing at the highest levels for Iran to abolish the practice of stoning and to meet its international human rights obligations. High Representative Ashton has issued a number of statements which criticised the treatment of human rights in Iran and which included a call upon the Iranian Government to revoke the death sentence in the case of Mrs. Ashtiani. A detailed démarche was delivered on behalf of the EU in Tehran on 29 August in relation to the Ashtiani case and other human rights issues. In response, the Iranian authorities have indicated that the stoning sentence would not be applied and that Ms Ashtiani would not be executed for adultery. However, no clear commitment has so far been given that there are no circumstances in which the death sentence will be applied to Ms. Ashtiani. I call on Iran to provide such a commitment. Ireland will continue to raise our concerns on the human rights situation in Iran, both bilaterally and at multilateral organisations.

EU Directives

303. **Deputy Jim O'Keeffe** asked the Minister for Foreign Affairs the number of EU directives awaiting transposition into law in his Department; the reasons for the delays; and the reaction of the EU Commission in each case to such delays. [34935/10]

Minister for Foreign Affairs (Deputy Micheál Martin): The Department of Foreign Affairs has no EU Directives awaiting transposition. While my Department has an overall coordinating role in EU matters, responsibility for transposing EU measures into law rests with those Departments with responsibility for the policy areas covered by individual EU measures. My colleague, Mr. Dick Roche T.D., Minister of State for European Affairs, chairs an Inter-departmental Coordinating Committee on European Affairs, which keeps the transposition of EU measures under constant review.

Social Welfare Benefits

304. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Social Protection the number of Irish citizens who have been refused supplementary welfare allowance over the past 12 months for failure to satisfy the habitual residence condition. [34483/10]

305. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Social Protection in relation to Irish citizens who have been refused supplementary welfare allowance over the past 12 months for failure to satisfy the habitual residence condition, the number of these that were offered a ticket back to the country they previously resided in; and the number of such offers that were taken up and the number refused. [34484/10]

315. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Social Protection the number of Irish citizens refused supplementary welfare allowance based on failure to satisfy the habitual residence condition who appealed this decision to the social welfare appeals office over the past three years; the number of these appeals that were successful and the number rejected. [34487/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): I propose to take Questions Nos. 304, 305 and 315 together.

The supplementary welfare allowance scheme (SWA) is administered on behalf of my Department by the community welfare division of the Health Service Executive (HSE). It is not possible to supply statistics on the number of claimants who were refused SWA on habitual residence grounds over the last twelve months as these statistics are not maintained by the various HSE areas. Details from the Social Welfare Appeals Office (SWAO) on the number of appeals on SWA scheme relating to habitual residence conditions are given in the table attached. SWAO do not maintain statistics on the nationality of appellants in any appeal cases.

Supplementary Welfare Allowance Appeals decided on the Habitual Residence Condition Section

	Allowed	Partially Allowed	Disallowed	Total
2007	5	1	22	28
2008	9	0	29	38
2009	33	7	118	158
2010 (to 30/9/2010)	41	8	159	208

Responsibility for assisting persons who wish to return to their home country is a matter for the Department of Justice and Law Reform.

Departmental Bodies

306. **Deputy Seán Sherlock** asked the Minister for Social Protection if additional human resources are to be allocated to the money advice and budgeting service to cope with unprecedented demands on the service; and if he will make a statement on the matter. [34544/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): Responsibility for the Money Advice and Budgeting Service (MABS) transferred to the Citizens Information Board (CIB) in July 2009. There are 51 MABS companies providing money advice to clients operating from 65 locations around the country, as well as the National Traveller MABS which operates on a national basis. In addition, MABS National Development Limited (NDL) is funded by the CIB to provide a national support and development service to local MABS companies. Its functions

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include technical support for staff and the provision of focused training programmes designed to equip money advice staff and local management boards to meet the demands on the services.

In view of the continuing demand for MABS support, last year an additional 19 money advisers were appointed to MABS companies throughout the country. They have been fully trained in the application of money advice work and the relevant codes and legislation relating to mortgage debt. The Citizens Information Board continues to keep supports provided to money advisors and the provision of resources, including human resources, to MABS companies under ongoing review. I am satisfied that the Money Advice and Budgeting Service are providing a high quality service to assist people locally and that the CIB is adequately resourced to support these services.

307. **Deputy Seán Sherlock** asked the Minister for Social Protection if he is satisfied that employees of the money advice and budgeting service have received sufficient training to negotiate with banks and other financial institutions on behalf of those who are experiencing mortgage difficulties and in personal debt arrears; and if he will make a statement on the matter. [34545/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The MABS money advisers focus on providing assistance, advice and intense support to people with financial difficulties. The money adviser works out a budget and negotiates on behalf of the client with all creditors, including financial institutions and sub-prime lenders, to secure better terms for the client in managing the repayment of their debts. Where required by the client, the money adviser can assist with setting up a special account with a local Credit Union into which an agreed amount of money is lodged regularly and from which each month the money adviser makes the repayments to the creditors on behalf of the client.

The provision of advice and support by MABS in relation to all consumer debt types, including mortgage arrears, require a deep knowledge and understanding of money management, consumer debt and financial services as well as knowledge and understanding of social protection supports and services. Focused training programmes designed to equip money advice staff and local management boards to meet the demands on the services are provided by a dedicated training unit in MABS NDL, the national support company. The core training programme for money advisers includes consumer legislation, technical aspects of income maximization and dealing with different types of debts. In addition training on mediation skills and ability to communicate effectively with creditors is also provided.

The Citizens Information Board, who has responsibility for MABS, continues to monitor the training needs of MABS employees to ensure a high quality service is provided. I am satisfied that MABS provides a high quality personal service to assist people in overcoming their indebtedness and managing their finances. I am confident that the money advisors are trained and equipped to deliver this important service to the members of the public who require it.

Social Welfare Benefits

308. **Deputy Joe Costello** asked the Minister for Social Protection if he will explain the decision to refuse rent supplement in respect of a person (details supplied) in Dublin 15; if he will reinstate the supplement; and if he will make a statement on the matter. [34558/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Health Service Executive (HSE) has advised that the person concerned has been refused rent supplement as he is not legally

resident in the State. If the person concerned is not satisfied with the decision of the HSE he can appeal the decision to the HSE Appeals Office.

309. **Deputy James Bannon** asked the Minister for Social Protection the reason for the delay in awarding a person (details supplied) their back to school allowance. [34588/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The back to school clothing and footwear allowance scheme is administered on behalf of the Department by the community welfare division of the Health Service Executive (HSE). The HSE has advised that it has no record of an application from the person concerned. If she wishes to apply, she should contact her local community welfare office.

310. **Deputy James Bannon** asked the Minister for Social Protection the position regarding an application for disability allowance in respect of a person (details supplied) in County Meath; and if he will make a statement on the matter. [34797/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The person concerned applied for disability allowance on 21 July 2010. His claim was assessed by a medical assessor and his file was then sent to a Social Welfare Inspector (SWI) to carry out a means investigation. The means assessment was completed and the file was returned for decision. The deciding officer required clarification with regard to the person's means and the file was returned to the SWI for further investigation. I understand the SWI made arrangements to meet the person in question on Monday, 4 October 2010 to clarify the outstanding issues. A decision on the person's entitlement to disability allowance will be given on receipt of the SWI's report and the person concerned will be notified directly of the outcome.

Civil Registration Service

311. **Deputy John McGuinness** asked the Minister for Social Protection the reason for the delay in issuing a death certificate in respect of a person (details supplied) and if he will expedite the matter. [34865/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The administration of the Civil Registration Service is statutorily a matter for the Registrar General. I have had enquiries made with the Registrar General and he has informed me that the position is as follows.

When a person dies, it is the duty of a relative of the deceased to act as qualified informant. This means that the relative must give to a registrar of births, deaths and marriages the information necessary to register the death, including a medical certificate of the cause of death, which is obtainable from the medical practitioner who attended the deceased, and sign the register of deaths. In certain circumstances, a death is referred to the coroner. There is a legal responsibility on doctors, registrars, undertakers, Gardaí, hospitals and nursing homes to inform the coroner where a death occurs suddenly or unexpectedly, or from a cause unknown, unclear or unnatural, or where the deceased was not seen or treated by a registered medical practitioner within one month prior to death.

In such cases, the coroner may request a post-mortem examination. If the post-mortem shows that a death was due to natural causes, the coroner may issue a certificate to the registrar, who can then proceed to register the death and issue a death certificate. If the post-mortem shows that a death was due to unnatural causes, the coroner may cause an inquest to be held. In such cases, the registrar must await the outcome of the inquest and the issue by the coroner of a coroner's certificate before the death can be registered. The Civil Registration Service has not yet received either a medical certificate or a coroner's certificate in this case.

Social Welfare Benefits

312. **Deputy James Bannon** asked the Minister for Social Protection the position regarding an application for jobseeker's allowance in respect of a person (details supplied) in County Longford; and if he will make a statement on the matter. [34440/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The person concerned submitted an application for Jobseeker's Allowance on 10 May 2010. The file was forwarded to a Social Welfare Inspector for a means test. The Inspector requested certain documents be lodged in support of the application. To date this information has not been supplied. In order that this application may proceed the necessary documentation should be submitted as soon as possible to Longford Social Welfare Local Office.

Social Welfare Appeals

313. **Deputy Michael Ring** asked the Minister for Social Protection the outcome of an illness benefit appeal in respect of a person (details supplied) in County Mayo. [34455/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Social Welfare Appeals Office has advised me that, payment of benefit was disallowed following an examination by a Medical Assessor who expressed the opinion that Ms Gibson was capable of work. She has appealed this decision and in accordance with the statutory procedures the relevant department papers and the comments of the Social Welfare services on the matter raised in the appeal have been sought. In that connection an examination by another Medical assessor will be carried out. The person concerned will be notified when arrangements for the examination have been completed. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

314. **Deputy Michael Ring** asked the Minister for Social Protection the outcome of a disability allowance appeal in respect of a person (details supplied) in County Mayo. [34459/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): I am advised by the Social Welfare Appeals Office that an Appeals Officer, having fully considered all the evidence, disallowed the appeal of the person concerned by way of summary decision. The person concerned has been notified of the decision. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Question No. 315 answered with Question No. 304.

Social Welfare Benefits

316. **Deputy Jack Wall** asked the Minister for Social Protection the procedures that apply in respect of a person (details supplied) in County Kildare who is in receipt of rent allowance who wishes to change their address; and if he will make a statement on the matter. [34533/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Health Service Executive (HSE) has advised that the person's rent supplement is currently being handled by the Central Rents Unit. They would require the following information to assess her Rent Supplement at a new address:

1. A new SWA3 form to ascertain the rent arrangement on her new property.

2. Proof of ownership from the new landlord. For example; solicitor's letter, statement re mortgage on property, receipt from Non Principal Private Residence (NPPR), evidence of registration with Private Residential Tenancies Board (PRTB), evidence of buildings insurance policy held by landlord or the deeds of the property will all be accepted.
3. A new lease.
4. 6 months bank statements.

The HSE has further advised that the person concerned should contact the HSE at 1800 201 698 to inform them when she is planning to move.

317. **Deputy Jack Wall** asked the Minister for Social Protection if persons participating on a vocational training opportunities scheme are entitled to rent supplement; and if he will make a statement on the matter. [34537/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): Rent supplement is administered on behalf of the department by the community welfare division of the Health Service Executive (HSE) as part of the supplementary welfare allowance scheme. People participating on a vocational training opportunities scheme receive a standard weekly rate of payment equivalent to the maximum rate of their previous social welfare payment and may retain any secondary benefits, such as rent supplement, which had been in payment prior to the commencement of their scheme. Entitlement is subject to a means test. People availing of the vocational training opportunities scheme should contact their local community welfare officer to clarify their continuing entitlement to rent supplement in their new circumstances.

Social Welfare Appeals

318. **Deputy Olwyn Enright** asked the Minister for Social Protection the position regarding a mortgage interest supplement appeal made in respect of a person (details supplied) in County Offaly; and if he will make a statement on the matter. [34571/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Health Service Executive (HSE) has advised that the person concerned was refused mortgage interest supplement in November 2009 as in the opinion of the Executive the amount of mortgage interest payable exceeded the amount the Executive considers reasonable to meet his or her residential and other needs and in the opinion of the Executive it was not reasonable to award a supplement due to the amount of arrears outstanding on the loan. The HSE further advised that the person concerned appealed the decision of the HSE to the HSE Appeals Office but the decision was upheld. The HSE further advised that the person concerned appealed the decision of the HSE Appeals Office to the Social Welfare Appeals Office but that the decision to refuse mortgage interest supplement was upheld.

Social Welfare Benefits

319. **Deputy Róisín Shortall** asked the Minister for Social Protection the rate of exit from jobseeker's payments, for example, the number who left a jobseeker's allowance or jobseekers benefit payment as a percentage of the totals on these payments at a fixed monthly point, perhaps that start or end of each month, in each of the past 12 months. [34572/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The numbers of people whose jobseeker's allowance or jobseeker's benefit claim closed, together with the percentage of total

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claims that represented, is set out in the attached tabular statement covering closures during the period from October 2009 to September 2010.

Closures as a percentage of Jobseekers Payments October 2009 – September 2010

Month/Year	Jobseekers Allowance			Jobseekers Benefit		
	Claim Count	Closed	Closures as %	Claim Count	Closed	Closures as %
October 2009	175,889	19,035	10.82%	143,015	31,930	22.33%
November 2009	187,059	16,839	9.00%	142,426	29,299	20.57%
December 2009	194,507	11,121	5.72%	138,662	20,136	14.52%
January 2010	201,933	14,003	6.93%	142,332	29,898	21.01%
February 2010	208,748	16,180	7.75%	140,624	27,800	19.77%
March 2010	212,363	16,436	7.74%	134,137	28,480	21.23%
April 2010	219,405	16,252	7.41%	128,014	29,554	23.09%
May 2010	228,315	16,248	7.12%	125,132	25,254	20.18%
June 2010	239,038	16,175	6.77%	125,432	23,459	18.70%
July 2010	246,274	16,712	6.79%	126,901	22,932	18.07%
August 2010	252,555	15,699	6.22%	123,454	25,292	20.49%
September 2010	240,488	23,594	9.81%	108,798	31,509	28.96%

Note: The claim count relates to all awarded customers at the end of each calendar month and excludes those customers who were temporarily suspended from receipt of payment.

Question No. 320 withdrawn.

321. **Deputy Michael Ring** asked the Minister for Social Protection if the rate of jobseeker's benefit can be increased in respect of a person (details supplied) in County Mayo. [34647/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): To qualify for a jobseeker's payment, a person must have sustained a substantial loss in both earnings and days worked each week. The person concerned applied for jobseeker's benefit on 1 September, 2010. A Deciding Officer, having examined her work pattern, determined that she had not sustained a loss of employment. Consequently, she is not currently entitled to jobseeker's benefit. It is open to the person concerned to appeal the Deciding Officer's decision and a form for this purpose has been issued to her.

322. **Deputy James Bannon** asked the Minister for Social Protection the position regarding an application for jobseeker's allowance in respect of a person (details supplied) in County Westmeath; and if he will make a statement on the matter. [34791/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Social Welfare Appeals Office has advised me that the appeal from the person concerned was received in that office on 13 September 2010, via the person's Local Office, along with the relevant Departmental papers and documents by or on behalf of the Deciding Officer on the grounds of the appeal. These papers will be referred in due course to an Appeals Officer who will decide whether the case can be decided on a summary basis or whether to list it for oral hearing.

There was a 46% increase in the number of appeals received by the Social Welfare Appeals Office in 2009 when compared to 2008, which in itself was 27% greater than the numbers received in 2007. There was an increase of a further 44% in the number of appeals received in the first eight months of 2010. These increases have caused delays in the processing of appeals.

In order to be fair to all appellants, oral hearings are arranged in strict chronological order. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

323. **Deputy James Bannon** asked the Minister for Social Protection the position regarding an application for disability allowance in respect of a person (details supplied) in County Longford; and if he will make a statement on the matter. [34792/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The person concerned applied for disability allowance on 30 June 2010. The person's claim was assessed by a medical assessor from this department who was of the opinion that she was not medically suitable for disability allowance. The deciding officer accepted this opinion and refused her disability allowance claim. The person was advised of this decision by letter on 1 October 2010 and of her right of appeal to the independent Social Welfare Appeals Office within 21 days.

324. **Deputy James Bannon** asked the Minister for Social Protection the position regarding an application for an increase in OAP to a contributory pension; and if he will make a statement on the matter. [34799/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The qualifying conditions for State pension (transition) require the applicant to

- have entered insurable employment before attaining the age of 55 years
- have at least 260 paid contribution weeks since entry into insurance
- satisfy the yearly average condition.

The person concerned applied for State pension (transition) in June 2009. His claim was disallowed on 6th July 2009, on the grounds that he does not satisfy the contribution condition as he only has a total of 233 paid contributions. In the notification of this decision, the person concerned was advised of his right of appeal to the independent Appeals Office. The person concerned is currently in receipt of a means-tested State pension (non-contributory) at the maximum weekly rate.

Social Welfare Code

325. **Deputy Róisín Shortall** asked the Minister for Social Protection the number of interviews or consultations a person must attend during the course of his or her jobseeker's claim; when such interviews take place; and the nature and purpose of each of these interviews. [34810/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The number of interviews or consultations that a jobseeker will attend over the course of his or her claim will vary from person to person. Customers claiming Jobseeker's Allowance may have to be interviewed by an inspector at the beginning of their claim and at any subsequent review of their means. Once a customer is three months on the Live Register, he or she will be selected for interview by FÁS under the National Employment Action Plan (NEAP) and may also be interviewed or elect to consult with the Job Facilitator at any stage during their claim. The Department refers a number of people that have been through the NEAP process to facilitators on a monthly basis.

The jobseeker schemes' conditions include that the customer must be available for work and genuinely seeking work. As part of the normal control process, a future review date is entered on the payment system for all jobseeker customers. Additional review dates are entered as

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necessary throughout the life of the claim. At each date, the claim is reviewed and, where necessary, the customer is interviewed to ensure that he or she continues to satisfy the conditions of the scheme.

Departmental Offices

326. **Deputy Seán Fleming** asked the Minister for Social Protection the position regarding the new Department control office for Portlaoise which will be the base for deciding officers; the time frame of how soon the premises will be ready and staff in a position to take up positions in Portlaoise; and if he will make a statement on the matter. [34854/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Commissioners of Public Works have identified a number of potentially suitable options for the Department's Control Office in Portlaoise. Negotiations are progressing with a view to securing the most favourable terms and conditions on one of the most suitable options at the earliest opportunity.

Social Welfare Appeals

327. **Deputy Seán Fleming** asked the Minister for Social Protection when a decision will issue on disability allowance in respect of a person (details supplied) in County Laois in view of length of time this case is ongoing; and if he will make a statement on the matter. [34856/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Social Welfare Appeals Office has advised me that the appeal from the person concerned has been referred to an Appeals Officer who proposes to hold an oral hearing in the case. The person concerned will be informed when arrangements have been made. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

328. **Deputy John McGuinness** asked the Minister for Social Protection if a claim for disability allowance will be approved and payment expedited in respect of a person (details supplied) in County Kilkenny. [34862/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that Office on 16 August 2010. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received back in the Social Welfare Appeals Office on 29 September 2010 and the appeal will be referred in due course to an Appeals Officer who will decide whether the case can be decided on a summary basis or whether to list it for oral hearing. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

329. **Deputy John McGuinness** asked the Minister for Social Protection if domiciliary care allowance will be paid to a person (details supplied) in County Kilkenny and if the matter will be expedited. [34863/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that Office on 24 May 2010. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be

sought. These papers were received back in the Social Welfare Appeals Office on 27 July 2010 and the appeal will be referred in due course to an Appeals Officer who will decide whether the case can be decided on a summary basis or whether to list it for oral hearing. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Question No. 330 withdrawn.

331. **Deputy James Bannon** asked the Minister for Social Protection the position regarding a disability allowance appeal in respect of a person (details supplied) in County Longford; and if he will make a statement on the matter. [34887/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The person concerned applied for disability allowance on 17 February 2009. He was examined by a medical assessor who was of the opinion that he was not medically suitable for disability allowance. The deciding officer accepted that opinion and refused his claim and a letter issued to the person on 18 June 2009 advising him of this decision and of his right of appeal to the Social Welfare Appeals Office. The person then sent in further medical evidence which was reviewed by a medical assessor who considered that there were no grounds to change the original opinion that the person was not medically suitable for disability allowance.

The person subsequently appealed this decision to the Social Welfare Appeals Office. Based on the evidence before him the appeals officer was of the opinion that the person had not suffered an illness, injury or disease which has continued, or may be expected to continue, for a period of at least one year and the appeal was disallowed. He was notified of this decision by the Social Welfare Appeals Office on 21 April 2010.

The person subsequently sent further medical evidence to the Social Welfare Appeals Office and his file was re-examined by an appeals officer. The Social Welfare Appeals Office wrote to him on 31 August 2010 stating that the appeals officer's original decision remained unchanged. An appeals officer's decision is final and conclusive in the absence of any fresh facts or evidence.

The person made a new application for disability allowance on 11 June 2010. His claim was assessed by a medical assessor who was of the opinion that he was not medically suitable for disability allowance. The deciding officer accepted that opinion and refused the claim and a letter issued to the person on 6 September 2010 advising him of this decision and of his right of appeal to the Social Welfare Appeals Office within 21 days.

332. **Deputy James Bannon** asked the Minister for Social Protection the reason a person (details supplied) in County Longford has been disallowed a carer's allowance in respect of full-time care provided, despite verification from the attending general practitioner; and if he will make a statement on the matter. [34894/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): On 31 March 2010 the person concerned was refused carer's allowance on the grounds that the person being cared for does not require full time care and attention. She was notified of this decision, the reasons for it and of her right of review or appeal to the Social Welfare Appeals Office. She appealed this decision. However, the appeals officer upheld the decision of the deciding officer and the appeal was disallowed. On the 13/09/10 she was notified of the appeals officers' decision. The decision of an appeals officer is final in the absence of fresh facts or evidence.

333. **Deputy James Bannon** asked the Minister for Social Protection the reason a person (details supplied) in County Longford had been refused a carer's allowance; and if he will make a statement on the matter. [34895/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): I am advised by the Social Welfare Appeals Office that, an Appeals Officer, having considered all the available evidence, disallowed the carer's allowance appeal of the person concerned. However, following the submission of additional medical evidence the appeal has been forwarded to the Appeals Officer for a review of the case. The person concerned will be contacted when the review of the appeal has been finalised. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Social Welfare Benefits

334. **Deputy James Bannon** asked the Minister for Social Protection the position regarding an application for mortgage relief in respect of a person (details supplied) in County Westmeath; and if he will make a statement on the matter. [34912/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Executive has advised that the person concerned was refused mortgage interest supplement in April 2009 as the in opinion of the Executive the amount of mortgage interest payable exceeded the amount the Executive considers reasonable to meet his or her residential and other needs and the person concerned was not in a position to meet the repayments under the loan agreement at the time the mortgage agreement commenced. The Executive further advised that the person concerned appealed the decision of the Executive but that the decision was upheld in May 2009. The Executive has further advised that the person concerned has made a new application for mortgage interest supplement but that no decision has been made on his application to date. The Executive will contact the person concerned directly when a decision has been made on his application.

EU Directives

335. **Deputy Jim O'Keeffe** asked the Minister for Social Protection the number of EU directives awaiting transposition into law in his Department; the reasons for the delays; and the reaction of the EU Commission in each case to such delays. [34938/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): My Department is at present involved in the transposition of one EU Directive. This Directive is 2003/41/EC and it refers to the activities and supervision of Institutions for Occupational Retirement Provision (IORP) and is generally referred to as the IORPs Directive. The Directive sets out a framework for the operation and supervision of occupational pension schemes in all Member States and will facilitate pan-European pension plans. Much of the framework required by the Directive already existed in the Pensions Act 1990.

The approach taken to transposition was to examine the existing provisions of Irish Pensions law and to make changes only where required. Accordingly, the only element of the Directive still to be implemented relates to Article 17, a provision governing the minimum level of assets that must be held by pension schemes which, in themselves, provide a guaranteed level of benefits to their members (i.e. the scheme, rather than the sponsoring employer, undertakes to provide a given level of benefits to the member). Although there are no such schemes in Ireland my Department is in the process of drafting the necessary legislation to transpose this article.

Social Welfare Benefits

336. **Deputy Andrew Doyle** asked the Minister for Social Protection the number of farmers currently in receipt of farm assist; the number of applications received during 2009 and to date in 2010 for farm assist; and if he will make a statement on the matter. [34973/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): At week-ending 24 September 2010, there were 10,427 customers in receipt of farm assist. There were 2,829* new farm assist claims registered in 2009 and 2,022* to date in 2010.

*It is not possible to state, with complete accuracy, the number of farm assist applications received as the Department's payment system includes farm assist as a sub-category of a jobseeker's allowance claim. This sub-category may not always be entered on the system on the day that the claim is made, but would be subsequently updated by the deciding officer at the time of decision.

Social Welfare Appeals

337. **Deputy Willie O'Dea** asked the Minister for Social Protection when a decision will issue on a domiciliary care allowance appeal in respect of a person (details supplied) in County Limerick. [34994/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that Office on 25 June 2010. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received back in the Social Welfare Appeals Office on 10 September 2010 and the appeal will be referred in due course to an Appeals Officer who will decide whether the case can be decided on a summary basis or whether to list it for oral hearing.

There was a 46% increase in the number of appeals received by the Social Welfare Appeals Office in 2009 when compared to 2008, which in itself was 27% greater than the numbers received in 2007. There was an increase of a further 44% in the number of appeals received in the first eight months of 2010. These increases have caused delays in the processing of appeals. In order to be fair to all appellants, oral hearings are arranged in strict chronological order. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

338. **Deputy Willie O'Dea** asked the Minister for Social Protection when a decision will issue on a carer's allowance appeal in respect of a person (details supplied) in County Clare. [34995/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that Office on 10 July 2010. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by the Social Welfare Services on the grounds of appeal be sought. When received, the appeal in question will be referred to an Appeals Officer for consideration. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

339. **Deputy Willie O'Dea** asked the Minister for Social Protection when a decision will issue on an appeal against refusal of carer's allowance in respect of a person (details supplied) in County Limerick. [34997/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that Office on 03 July 2010. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by the Social Welfare Services on the grounds of appeal be sought. When received, the appeal in question will be referred to an Appeals Officer for consideration. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

340. **Deputy Willie O’Dea** asked the Minister for Social Protection when a decision will issue on an appeal against refusal of carer’s allowance in respect of a person (details supplied) in County Limerick. [34998/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that Office on 15 September 2010. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by the Social Welfare Services on the grounds of appeal be sought. When received, the appeal in question will be referred to an Appeals Officer for consideration. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Departmental Expenditure

341. **Deputy Richard Bruton** asked the Minister for Social Protection the amount paid by his Department in legal fees for each of the years from 2000 to date in 2010; the amount paid in legal fees by each of the agencies and bodies under the aegis of his Department; and if he will make a statement on the matter. [35001/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Department incurs expenditure on legal and compensation costs/fees from Vote 38 Department of Social Protection and the Social Insurance Fund. The elements of these payments relating solely to legal fees are not recorded separately. The following table sets out expenditure on legal and compensation costs/fees for the period from 2000 to date in 2010.

Legal and compensation costs / fees

Year	Vote 38 Department of Social Protection	Social Insurance Fund
	€	€
2000	64,959	25,482
2001	85,368	173,642
2002	113,817	158,533
2003	161,447	22,855
2004	458,611	49,142
2005	122,339	153,512
2006	91,692	149,763
2007	300,814	97,670
2008	204,964	20,797
2009	281,483	96,028
2010-to date	251,816	Nil

Costs relating to prosecutions arising from fraudulent claims made to the Department are borne by the Chief States Solicitors Office.

Details for the bodies under the aegis of my Department are set out in the following table.

Legal and compensation costs / fees

Name of Statutory Body	Total Annual Expenditure on Legal Fees	
		€
Office of the Pensions Ombudsman	2000:	Nil
	2001:	“
	2002:	“
	2003:	“
	2004:	4,235
	2005:	22,436
	2006:	7,877
	2007:	71,661
	2008:	-2,572.27*
	2009:	18,427
	2010:	23,502 (to date)
The Pensions Board	2000:	71,093
	2001:	85,207
	2002:	115,223
	2003:	151,938
	2004:	210,494
	2005:	264,400
	2006:	281,676
	2007:	357,913
	2008:	404,794
	2009:	256,897
	2010:	140,000 (to date)
Comhairle (Comhairle combined the functions of the former National Social Services Board with certain functions of the former National Rehabilitation Board)	2000:	Nil (established in June 2000)
	2001:	18,468
	2002:	9,991
	2003:	30,410
	2004:	21,256
	2005:	30,606
Citizens Information Board (The Comhairle name was changed to Citizens Information Board in February 2007 under the Citizens Information Act 2007)	2006:	15,926
	2007:	75,043
	2008:	20,365
	2009:	15,060
	2010:	21,047 (to date)
	Combat Poverty Agency	2000:
2001:		11,167
2002:		7,875
2003:		3,074
2004:		15,684
2005:		20,980
2006:		10,080
2007:		3,214
2008:		20,053
2009:		11,748**
2010:		—

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Name of Statutory Body	Total Annual Expenditure on Legal Fees	
Social Welfare Tribunal		€
	2000:	Nil
	2001:	“
	2002:	“
	2003:	“
	2004:	“
	2005:	“
	2006:	“
	2007:	“
	2008:	“
	2009:	“
	2010 (to date):	“

*High Court cases in 2007: — In one appeal that went to hearing in 2007, the Pensions Ombudsman’s determination was upheld in part. The second part was not tested, as the appeal fell on the first issue, and costs of the appeal (€26,969.79) were awarded to the Office of the Pensions Ombudsman. The refund to the Office of the Pensions Ombudsman which was made in February 2008 exceeded the combined legal costs in 2008 resulting in a saving of €2,572.27.

**The Combat Poverty Agency integrated with the Office for Social Inclusion to form a new division within the Department of Social and Family Affairs, on 1 July 2009 in accordance with a Government Decision announced as part of Budget 2009. The functions in relation to social inclusion were transferred to the Department of Community, Equality and Gaeltacht Affairs with effect from 1 May 2010.

Social Welfare Code

342. **Deputy Michael McGrath** asked the Minister for Social Protection if he will provide details of the planned new work and welfare scheme; and if he will make a statement on the matter. [35003/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): Activation and support for those who are unemployed is a key priority for Government. Earlier this year, the Taoiseach announced a number of changes to improve the delivery of employment, training and community services to the public by bringing together related responsibilities in these areas. These changes included the restructuring of Departmental responsibilities with the objective of providing a stream-lined response to the income support and job search needs of people who are unemployed.

In this context, my Department is devising proposals for the development of new initiatives based on the Rural Social Scheme and the Community Services Programme which will offer social employment opportunities. Considerable work is required on these proposals before they come on stream and take their place within the suite of activation measures aimed at supporting unemployed people. I have not set targets as to how many employment opportunities might be created as much depends on the level of resources that will be available to the Department and the capacity of not-for-profit community based organisations to avail of these emerging opportunities. Details of the roll-out of this initiative will be made available as soon as possible.

343. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection in a situation where a person makes an application under several social welfare schemes the different schemes may use different deciding officers to determine if the one application satisfies the habitual residence condition. [35035/10]

344. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection if, in deciding if someone is habitually resident in the State, different matters are considered depending on the scheme in respect of which an applicant is applying. [35036/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): I propose to take Questions Nos 343 and 344 together.

Since May 2004, all applicants regardless of nationality are required to be habitually resident in the State in order to qualify for the following payments:

- Jobseeker's Allowance
- State Pension (Non contributory)
- Blind Pension
- Widow(er)'s Non Contributory Pension
- One Parent Family Payment
- Guardian's Payment
- Carer's Allowance
- Disability Allowance
- Supplementary Welfare Allowance (other than once off exceptional and urgent needs payments)
- Child Benefit and
- Domiciliary Care Allowance

The Habitual Residence Condition is an additional condition to be satisfied along with the other conditions of entitlement in all applications for the payments concerned.

To ensure consistency of decision making, deciding officers take regard of any previous habitual residence decision that has been given on a different scheme, for the same applicant. In these instances, where it is established that the circumstances are unchanged, the original habitual residence decision holds good in order to expedite the decision making process of the claim in its entirety. Where it is proposed to make a decision on habitual residence that is different to a previous one in respect of the same person, both deciding officers consult so as to ensure a consistent interpretation of the applicant's habitual residency status.

If a customer applies for a number of schemes simultaneously and the registration details of any new claims are available on the Department's systems, normal consultations take place between the relevant scheme areas before a habitual residence decision is made in order to eliminate a duplication of effort.

The European Court of Justice (ECJ) has set down a number of factors to be considered when deciding whether someone is "habitually resident". The Court has determined that five factors are relevant in determining whether a person is habitually resident, and these grounds are specified in Section 30 of the Social Welfare and Pensions Act 2007 as follows:

- (a) The length and continuity of residence in the State or in any other particular country;
- (b) The length and purpose of any absence from the State;

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- (c) The nature and pattern of the person's employment;
- (d) The person's main centre of interest, and
- (e) The future intentions of the person concerned as they appear from all the circumstances.

The five factors are applicable in every case requiring a decision on habitual residence irrespective of the payment scheme concerned.

Social Welfare Benefits

345. **Deputy Róisín Shortall** asked the Minister for Social Protection the number of persons currently in receipt of rent supplement with a breakdown by duration at intervals of three months. [35040/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The following is a tabular statement on current recipients of rent supplement by duration.

Number of Recipients of Rent Supplement by Claim Duration 1, 1 October 2010

Months	Recipients
0 to 3	12,223
3 to 6	14,089
6 to 9	13,045
9 to 12	8,942
12 to 24	27,979
24 to 36	8,772
36 to 48	3,608
48 to 60	2,384
60 to 72	1,615
72 plus	3,443
Total	96,100

Claims with duration of precisely 3 months are recorded under the 3-6 months heading, claims with duration of precisely 6 months are recorded under the 6-9 months heading and so on.

346. **Deputy Róisín Shortall** asked the Minister for Social Protection the number of persons currently in receipt of mortgage interest supplement with a breakdown by duration at intervals of three months. [35041/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The following is a tabular statement on current recipients of mortgage interest supplement by duration.

Number of Recipients of Mortgage Interest Supplement by Claim Duration, 1 October 2010

Months	Recipients
0 to 3	1,383
3 to 6	2,301
6 to 9	2,401
9 to 12	1,728

Months	Recipients
12 to 24	6,617
24 to 36	2,028
36 to 48	530
48 to 60	265
60 to 72	109
72 plus	267
Total	17,629

Claims with duration of precisely 3 months are recorded under the 3-6 months heading, claims with duration of precisely 6 months are recorded under the 6-9 months heading and so on.

347. **Deputy Jack Wall** asked the Minister for Social Protection the reason the mortgage allowance of a person (details supplied) in County Kildare has been reduced; and if he will make a statement on the matter. [35148/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Health Service Executive (HSE) has advised that the mortgage interest supplement of the person concerned has been reduced as the interest payable on her mortgage has reduced. If the person concerned is not satisfied with the decision of the HSE he can appeal the decision to the HSE Appeals Office.

348. **Deputy Bernard J. Durkan** asked the Minister for Social Protection when disability allowance and social welfare payment will be awarded in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [35163/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The person concerned does not have a current application for disability allowance or any other social welfare payment lodged with the department. The person concerned originally applied for disability allowance on 26 February 2008. His claim was assessed by a medical assessor who was of the opinion that he was not medically suitable for disability allowance. The deciding officer accepted that medical opinion and further decided that the person in question was not habitually resident in the State. As he failed to satisfy the medical and habitual residence conditions, his claim was refused. A letter issued to him on 7 August 2008 advising him of this decision and of his right of appeal to the Social Welfare Appeals Office.

The person applied again for disability allowance on 27 November 2008. While the medical assessor gave the opinion that the medical condition was satisfied on the basis of the medical evidence supplied with that application, it was decided that he was not entitled to disability allowance as he did not satisfy the habitual residence condition. A letter issued to him on 29 January 2009 advising him of this decision and of his right of appeal to the Social Welfare Appeals Office.

The person subsequently appealed this decision. The Appeals Officer decided that the person was not habitually resident in the State and the appeal was disallowed on 12 August 2009. An Appeal's Officer's decision is final and conclusive in the absence of any fresh facts or evidence.

Social Welfare Appeals

349. **Deputy Bernard J. Durkan** asked the Minister for Social Protection when an oral hearing will be arranged in respect of a person (details supplied) in County Kildare who applied for carer's allowance in 2009; and if he will make a statement on the matter. [35164/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Social Welfare Appeals Office has advised me that the appeal from the person concerned has been referred to an Appeals Officer who proposes to hold an oral hearing in the case. The person concerned will be informed when arrangements have been made. There was a 46% increase in the number of appeals received by the Social Welfare Appeals Office in 2009 when compared with 2008, which in itself was 27% greater than the numbers received in 2007. There was an increase of a further 44% in the number of appeals received in the first eight months of 2010. These increases have caused delays in the processing of appeals. In order to be fair to all appellants, oral hearings are arranged in strict chronological order. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Social Welfare Benefits

350. **Deputy Bernard J. Durkan** asked the Minister for Social Protection when disability allowance will be awarded in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [35165/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): An application for disability allowance was received from the person concerned on 15 September 2010. The application has been assessed by a medical assessor and has recently been sent to a social welfare inspector to report on the person's means and other eligibility criteria. Once the report from the social welfare inspector is completed and received a decision will be made and the person will be informed of the outcome.

National Museum

351. **Deputy Mary Upton** asked the Minister for Tourism, Culture and Sport if she will provide funding for a minimum expenditure model of works to open the two closed floors of the Natural History Museum as an interim measure until such time as funding is available to complete the redevelopment of the museum; and if she will make a statement on the matter. [34814/10]

355. **Deputy Mary Upton** asked the Minister for Tourism, Culture and Sport her views on a minimum expenditure model of works to open the two closed floors of the Natural History Museum as an interim measure until such time as funding is available to complete the redevelopment of the museum; and if she will make a statement on the matter. [34813/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): I propose to take Questions Nos. 351 and 355 together.

The original development proposals in respect of the Natural History Museum arose primarily from the need to provide for universal accessibility to the facility, including to the upper floors and balconies. Unfortunately, given the change in the Exchequer circumstances, it has not been possible to proceed in full with these proposals. As the Natural History Museum is listed as a protected structure with Dublin City Council, redevelopment works to the premises are subject to regulation by that authority. The original development proposals included a plan to build a new structure beside the Museum which would include a lift and provide universal access to all levels.

In order to facilitate the reopening of the Natural History Museum within as short a time frame as possible, and having regard to the limited capital resources now available, it was

agreed by the National Museum, the OPW and my Department to proceed with a programme of refurbishment works that included the following new features:

- Ramp access to front door to facilitate wheelchair users and families with buggies;
- Wheelchair accessible toilet facilities;
- Improved visitor safety (smoke partitions, restored staircase, installation of a safety net under the glass ceiling);
- An education space at ground floor level for activities and hands-on access to animals for visitors;
- New seating at several locations within the building;
- A reading and children's area at first floor level;
- Improved lighting at ground floor level;
- Exclusion of ultraviolet light to prevent exhibits fading in sunlight;
- Installation of new stairs at rear of building; and
- Repainting and treatment of walls, floors and display cases throughout.

The completion of these works allowed for the reopening of the Natural History Museum to the public on Thursday 29th April 2010.

My Department, the National Museum and the OPW remain conscious of the need to provide full public access to the upper balcony levels of the Natural History Museum and continue to explore means of providing this at a reasonable cost. There is a management system in place to facilitate controlled supervised access to the balconies.

Sports Capital Programme

352. **Deputy Deirdre Clune** asked the Minister for Tourism, Culture and Sport if she is in receipt of an application for national lottery funding for a club (details supplied); if she is in a position to provide such funding; and if she will make a statement on the matter. [34509/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): The club in question made unsuccessful applications under the Department's Sports Capital Programme in 1999 and 2000 and there is no record of any subsequent application. No decision has been taken on the timing of the next round of the Programme.

Grant Payments

353. **Deputy Seán Sherlock** asked the Minister for Tourism, Culture and Sport the number of projects in Cork county that have received assistance from the Department since January 2010; details of these projects and the type of assistance received; and if she will make a statement on the matter. [34514/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): I am pleased to report that some 79 project payments were made by my Department since 1 January 2010, the details of which are as set out in tabular form below.

[Deputy Mary Hanafin.]

Details of Project	Type of Assistance Received
<i>Capital Cultural Development Programme</i> Tigh Filí, St. Lukes, Cork City	Grant of €50,000
<i>Cultural Body Operational Grant</i> Cork Butter Museum	Grant of €30,000
<i>Culture Night</i> Regional Culture Night in Cork	Grant of €10,000
<i>Current and Capital Funding Support</i> Crawford Art Gallery Cork	Grant of €956,510
<i>Sports Capital Programme</i> Aghada GAA Club	Grant of €57,998
Coachford Soccer Club	Grant of €17,500
Donoughmore Hurling & Football Club	Grant of €12,250
St James GAA Club	Grant of €5,000
Old Christians GAA	Grant of €9,366
Irish Wheelchair Association	Grant of €30,379
Sport Ionad Réigiúnach Chorcaí Teoranta (Sam Allen Sports Centre)	Grant of €100,000
Glanworth GAA Community Field	Grant of €27,013
Kanturk GAA	Grant of €50,000
North Mon Taekwondo	Grant of €3,500
Beara Sports Hall	Grant of €10,488
St. Joseph's Foundation	Grant of €60,000
Castlelyons GAA Club	Grant of €21,481
Bandon GAA Club	Grant of €26,621
Milford Lawn Tennis Club	Grant of €1,500
Everton Football Club	Grant of €66,096
Ballydesmond GAA	Grant of €60,000
Youghal GAA Club	Grant of €4,250
Carrigtwohill Community Council	Grant of €142,500
St Oliver Plunkett's GAA Club	Grant of €25,133
Donoughmore Hurling & Football Club	Grant of €6,750
Cork Institute of Technology	Grant of €450,000
Kiskeam GAA Club	Grant of €40,000
Cloyne Diocesan Youth Services Ltd	Grant of €22,801
Whitechurch & Waterloo Community	Grant of €9,500
Carrigaline United AFC	Grant of €190,000
Cork Institute of Technology	Grant of €205,200
Beara Sports Hall	Grant of €2,000
Everton Football Club	Grant of €66,096
Aghada GAA Club	Grant of €26,060
Cloyne Diocesan Youth Services Ltd	Grant of €16,942
Mallow GAA Club	Grant of €25,000
Skibbereen Sports Centre	Grant of €7,700
Mallow United Soccer Club	Grant of €23,200
Cork Colleges Camogie Council	Grant of €65,586

Details of Project	Type of Assistance Received
Los Zarcos	Grant of €2,360
Blarney GAA	Grant of €80,000
Cork Colleges Camogie Council	Grant of €11,123
Dromina GAA	Grant of €25,000
Newcestown GAA Club	Grant of €6,609
Castlelyons GAA Club	Grant of €21,481
Castletown Celtic FC	Grant of €37,410
Kanturk AFC	Grant of €3,247
Castlelyons GAA Club	Grant of €2,038
Everton Football Club	Grant of €1,931
Irish Amateur Rowing Union	Grant of €11,497
St Oliver Plunkett's GAA Club	Grant of €31,780
Cloyne Diocesan Youth Services Ltd	Grant of €7,757
Clonakilty GAA Club	Grant of €8,500
Inniscarra Community Centre Ltd	Grant of €2,500
Cork Institute of Technology	Grant of €9,800
Cork Institute of Technology	Grant of €60,498
Old Christians RFC	Grant of €20,919
Bandon RFC	Grant of €30,000
Mallow United Soccer Club	Grant of €7,200
Irish Amateur Rowing Union	Grant of €6,880
Ballinacarriga & Lisbeala Dev Co Ltd	Grant of €12,000
Shandon Boat Club	Grant of €31,529
Cork Colleges Camogie Council	Grant of €8,291
Fermoy GAA Club	Grant of €4,955
Páirc Réigiunach na gColáistí	Grant of €10,000
Mallow GAA Club	Grant of €100,000
O'Donovan Rossa GAA	Grant of €80,000
Castletown Celtic FC	Grant of €12,590
Ballymartle GAA Club Riverstick	Grant of €45,000
Glanworth GAA Community Field	Grant of €32,987
Shandon Boat Club	Grant of €1,125
Na Piarsaigh Hurling & FC	Grant of €112,084
Castlelyons GAA Club	Grant of €5,500
Glenlara GAA Club	Grant of €2,912
Ballynoe Community Council	Grant of €5,000
Na Piarsaigh Hurling & FC	Grant of €30,416
Na Piarsaigh Hurling & FC	Grant of €68,539
Doneraile GAA	Grant of €63,976
Carrigtwohill Community Council	Grant of €7,500

354. **Deputy Michael McGrath** asked the Minister for Tourism, Culture and Sport the position regarding the payment of a grant amount to a club (details supplied) in County Cork under the sports capital grant programme. [34646/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): The grantee in question was allocated a number of grants under the Sports Capital Programme between 1996 and 2004.

[Deputy Mary Hanafin.]

The grant allocations are subject to the terms and conditions of the Programme, which include the execution of a Deed of Covenant and Charge. A Deed provides, inter alia, for a refund of the grant in the event of the facility not continuing to be used for the purpose for which the grant was allocated. The Department's legal adviser, the Chief State Solicitor's Office (CSSO), deals with the grantee's solicitor in executing this Deed. The CSSO wrote to the club's solicitors in relation to this matter most recently on 30 August 2010. The latest update from the CSSO is that no response has been received to that letter.

Question No. 355 answered with Question No. 351.

Commemorative Events

356. **Deputy Mary Upton** asked the Minister for Tourism, Culture and Sport the money she contributes towards the running of Dublin's St. Patrick's Day parade each year; and if she will make a statement on the matter. [34818/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): Under Section 8(1) of the National Tourism Development Authority Act, 2003, it is a day to day matter for Fáilte Ireland to encourage, promote and support either inside or outside the State (a) the development of Tourism traffic within and to the state and (b) the development and marketing of tourist facilities and services within the State. I have no role in the provision of funding to the St. Patrick's Festival. I understand that while the amount of funding provided for this event may vary from year to year the allocations made by Fáilte Ireland in recent years is as follows: 2008 — €1.3m; 2009 — €1.2m; and 2010 — €1.1m

EU Directives

357. **Deputy Jim O'Keeffe** asked the Minister for Tourism, Culture and Sport the number of EU directives awaiting transposition into law in her Department; the reasons for the delays; and the reaction of the EU Commission in each case to such delays. [34941/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): The Department's ambit does not include matters that are usually the subject of EU Directives. Accordingly, the Department has no such Directives currently awaiting transposition into law.

National Spatial Strategy

358. **Deputy Seán Sherlock** asked the Minister for the Environment, Heritage and Local Government if he will consider a change in policy on access to funding for hub-designated towns under the national spatial strategy so there is no impediment to towns such as Mallow in County Cork applying to local development agencies for funding; and if he will make a statement on the matter. [34562/10]

Minister of State at the Department of Environment, Heritage and Local Government (Deputy Ciarán Cuffe): The National Spatial Strategy (2002) designated nine towns, including Mallow, as Hubs because of their capacity to develop and act as drivers for growth for their hinterlands. The need for co-ordinated investment in Hub towns was identified in the NSS and reinforced in the NSS Update and Outlook Report which I have now published.

In June 2007, my Department published the NSS Hubs — Development Issues and Challenges Report. The study identified the development issues and challenges for each Hub, and made recommendations to support and advance their future growth and development. My Department is aware that eligibility criteria for certain rural development funding programmes,

such as LEADER, may be defined in such a way as to exclude designated Hub towns on the basis that these programmes are geared towards supporting development in rural areas. My Department will continue to make the case with the Departments and agencies which manage those programmes that Hub status designation should not be a barrier to access to funding from the programmes. The reports referred to are available on my Department's website — www.environ.ie.

Local Authority Housing

359. **Deputy Terence Flanagan** asked the Minister for the Environment, Heritage and Local Government the number of homes repossessed by local authorities in 2010; and if he will make a statement on the matter. [34461/10]

360. **Deputy Terence Flanagan** asked the Minister for the Environment, Heritage and Local Government the number of homes repossessed by local authorities in 2005, 2006, 2007, 2008 and 2009; and if he will make a statement on the matter. [34464/10]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): I propose to take Questions Nos. 359 and 360 together.

A total of 103 repossessions have taken place across all local authority areas during the period 2005 to end-June 2010. This includes 40 voluntary repossessions or abandonments. The following table provides a breakdown of repossessions by each local authority for the period 2005-2009 and for January to June 2010.

Repossessions during the period 2005 – 2009

Council Name	Repossessions	Voluntary Repossessions
Carlow County Council	1	
Cavan County Council	2	
Clare County Council	2	
Cork County Council	3	
Donegal County Council	0	
Fingal County Council	0	
South Dublin County Council	2	1
Dun Laoghaire/Rathdown County Council	0	
Galway County Council	1	1
Kerry County Council	0	
Kildare County Council	0	
Kilkenny County Council	4	
Laois County Council	9	
Leitrim County Council	0	
Limerick County Council	0	2
Longford County Council	2	2
Louth County Council	1	
Mayo County Council	0	
Meath County Council	2	
Monaghan County Council	4	
Offaly County Council	3	
Roscommon County Council	0	
Sligo County Council	0	
North Tipperary County Council	0	1

[Deputy Michael Finneran.]

Council Name	Repossessions	Voluntary Repossessions
South Tipperary County Council	3	
Waterford County Council	0	
Westmeath County Council	0	
Wexford County Council	2	
Wicklow County Council	0	
Dublin City Council	7	
Cork City Council	3	
Galway City Council	0	
Limerick City Council	0	
Waterford City Council	6	
Clonmel Borough Council	0	
Sligo Borough Council	2	
Drogheda Borough Council	0	
Wexford Borough Council	0	
Bray Town Council	0	
Athlone Town Council	0	
Total	59	7

Repossessions January – June 2010

Council Name	Repossessions	Voluntary Repossessions/ Abandonments
Carlow County Council		
Cavan County Council		
Clare County Council	1	
Cork County Council		11
Donegal County Council		
Fingal County Council		
South Dublin County Council	1	
Dun Laoghaire/Rathdown County Council		
Galway County Council		
Kerry County Council		2
Kildare County Council		3
Kilkenny County Council		1
Laois County Council		1
Leitrim County Council		
Limerick County Council		
Longford County Council		
Louth County Council		
Mayo County Council		
Meath County Council		
Monaghan County Council		2
Offaly County Council		
Roscommon County Council		
Sligo County Council		
North Tipperary County Council		

Council Name	Repossession	Voluntary Repossessions/ Abandonments
South Tipperary County Council		
Waterford County Council		
Westmeath County Council		1
Wexford County Council		
Wicklow County Council		1
Dublin City Council	2	8
Cork City Council		
Galway City Council		
Limerick City Council		
Waterford City Council		
Clonmel Borough Council		
Sligo Borough Council		
Drogheda Borough Council		
Wexford Borough Council		2
Bray Town Council		
Athlone Town Council		1
Total	4	33

Major Emergency Management

361. **Deputy Seán Sherlock** asked the Minister for the Environment, Heritage and Local Government the emergency response procedures in place to deal with severe weather conditions this winter should such conditions arise; if sufficient supplies of grit will be in place; and if he will make a statement on the matter. [34516/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The role of my Department during a severe weather event is to ensure that the local authorities are prepared to respond promptly to ameliorate the worst effects in relation to those aspects of an emergency for which they have direct responsibility, and that they act in co-operation with the other Principal Response Agencies — An Garda Síochána and the Health Service Executive — using the Major Emergency Management Framework as appropriate, and the voluntary agencies and the Defence Forces to limit the effects on individuals whose lives may be put at risk or who may be exposed to serious hardship. When effective emergency plans are in place, the management of the emergency response then falls to the local authorities and the other Response Agencies.

The issue of road gritting is a matter for the local authorities and the National Roads Authority, which is under the aegis of the Department of Transport.

Local Authority Housing

362. **Deputy Seán Sherlock** asked the Minister for the Environment, Heritage and Local Government when funding will be released for a new local authority development (details supplied) in County Cork; and if he will make a statement on the matter. [34541/10]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): My Department has fully supported this project over the past number of years, and gave approval to Fermoy Town Council in April 2009 to sign contracts to commence construction. However, in April 2010 the Town Council notified my Department

[Deputy Michael Finneran.]

that it would not be proceeding with the contract as the preferred tenderer had gone out of business. At the request of the Town Council, my Department then gave approval to re-tender the project to take advantage of the current value available in the construction market. I understand that this tender process is almost completed and that the tenders received are currently being examined by the Town Council with a view to submitting a recommendation to my Department.

Waste Management

363. **Deputy Seán Sherlock** asked the Minister for the Environment, Heritage and Local Government his views on the privatisation of the waste collection service operated by Cork County Council; and if he will make a statement on the matter. [34542/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): A public consultation on a Draft Statement of Waste Policy based on the recommendations and analysis of the International Review of Waste Management Policy closed on Friday, 1 October 2010. Among the key objectives of the proposed policy are to ensure that the environment is protected and enhanced and the costs of improved waste services are driven down for consumers and businesses, while at the same time improving the quality of those services.

I understand that the decision by Cork County Council to privatise the service, following a competitive tendering process, was reached as result of a number of factors. These included falling customer numbers, rising costs associated with the pre-treatment of waste, and the introduction of a VAT charge of 13.5% on waste management services provided by local authorities. Cork County Council thus decided the direct provision of its waste collection was financially unsustainable.

I welcome, as part of the agreement, that Cork County Council has secured a continuation of the waiver scheme for a further twelve months and that the private operator will be implementing an immediate reduction of 10% in waste charges to all non-waiver customers. I also welcome the fact that Cork County Council will now deploy the relevant staff and resources previously employed in the waste collection service in other key service areas throughout the County. One such example is the decision to open civic amenity sites later this month at Kanturk and Mallow employing some of the proceeds of the sale of the waste collection service to fund the day to day running costs of these facilities.

Planning Issues

364. **Deputy James Bannon** asked the Minister for the Environment, Heritage and Local Government the number of empty housing units, both habitable and derelict or dilapidated in County Longford, including Longford town; the reason the situation with these units has been allowed to develop; the action he proposes to take to resolve the situation; and if he will make a statement on the matter. [34585/10]

365. **Deputy James Bannon** asked the Minister for the Environment, Heritage and Local Government the number of empty housing units, both habitable and derelict or dilapidated in County Westmeath, including the towns of Mullingar and Athlone; the reason the situation with these units has been allowed to develop; the action he proposes to take to resolve the situation; and if he will make a statement on the matter. [34586/10]

Minister of State at the Department of Environment, Heritage and Local Government (Deputy Ciarán Cuffe): I propose to take Question Nos. 364 and 365 together.

As part of its comprehensive response to the issue of unfinished or unoccupied estates, my Department has undertaken, with the co-operation of local authorities and other key stakeholders, a national inventory on a county by county basis to quantify, classify and map the various types of unfinished or unoccupied estates so as to facilitate a better understanding of the scale and extent of the problem. The survey, which was conducted over the months May to September, involved site visits by Departmental housing inspectors to every estate built or granted permission in the last few years.

Together with my colleague, Minister of State Finneran, I will shortly be publishing the results of this survey, along with proposed measures to address difficulties on specific sites in a co-ordinated and pro-active manner. The responses will require a range of interventions across a number of disciplines — there are issues of public safety, the provision of bonds and securities, environmental protection, building control and estate management. When published, the survey results will provide details of the scale and location of vacant or unfinished housing units in newly-constructed estates on a city and county basis.

Turbary Rights

366. **Deputy James Bannon** asked the Minister for the Environment, Heritage and Local Government the arrangements that have been made by the Government to compensate those affected by the cessation of turf cutting in 32 raised bogs, as ordered by the Government and announced by the Minister for the Environment, Heritage and Local Government in order to address their fuel needs for the forthcoming winter. [34587/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Following the end of the 10 year derogation for 32 raised bog Special Areas of Conservation (SAC) the Government has decided that no further turf-cutting can occur on these sites without Ministerial consent. In May 2010, I announced the introduction of an Interim Compensation Scheme for turbary rights holders who have been cutting turf for their domestic needs for the past five years on these bogs. A gratuity of €1,000 is available to enable them to meet their winter fuel needs. Up to 275 applications were received by my Department by the deadline for application. To date, over 100 applicants have received payment under this scheme. Assessment of the remaining applications is continuing and will be completed shortly.

Proposed Legislation

367. **Deputy Tom Hayes** asked the Minister for the Environment, Heritage and Local Government when proposed amendments to planning regulations will be brought before the Houses of the Oireachtas; and if he will make a statement on the matter. [34634/10]

Minister of State at the Department of Environment, Heritage and Local Government (Deputy Ciarán Cuffe): The Planning and Development Regulations 2010 were signed by Minister Gormley on 30 July 2010 and came into effect from 19 August 2010. The Regulations were laid before the Houses of the Oireachtas on 24 August 2010. The 2010 Regulations updated the Planning and Development Regulations 2001 on foot of the sections 28 and 29 of the Planning and Development (Amendment) Act 2010 which was enacted on 26 July 2010. Sections 28 and 29 of the 2010 Act amend sections 42 and 42A of the Planning and Development Acts 2000 to 2009 which relate to the power to extend the appropriate period of a planning permission.

Further Regulations are being prepared on foot of the enactment of the Planning and Development (Amendment) Act, 2010. It is my intention to have the required Regulations laid before the Houses of the Oireachtas as soon as possible.

Local Authority Housing

368. **Deputy Michael Creed** asked the Minister for the Environment, Heritage and Local Government if he will clarify the situation regarding the ability of local authorities to sell apartments to tenants; if any consideration is given in this matter to the length of tenure; and if he will make a statement on the matter. [34638/10]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): Preparatory work is underway to bring Part 4 of the Housing (Miscellaneous Provisions) Act 2009, which provides for tenant purchase of apartments in designated local authority complexes, into operation. I expect to make the necessary statutory instruments early in 2011 to enable the apartments sales scheme to be introduced as quickly as possible thereafter. The new apartments scheme will be based on the incremental purchase model introduced in June 2010 for designated newly-built social housing. The level of discounts under the new scheme will, therefore, be related to household income rather than length of tenure.

Fire Stations

369. **Deputy James Bannon** asked the Minister for the Environment, Heritage and Local Government the position regarding an application made by Longford County Council to his Department to appoint two consultants for the proposed new fire station in County Longford (details supplied); and if he will make a statement on the matter. [34798/10]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): The provision of a fire service in its functional area, including the establishment and maintenance of a fire brigade, the assessment of fire cover needs and the provision of premises, is a statutory function of individual fire authorities under section 10 of the Fire Services Act 1981. My Department's role is one of supporting and assisting fire authorities in delivering fire services through the provision of funding under the fire service capital programme and through setting general policy.

The Department approved in principle an application from Longford County Council to construct a fire station in Lanesboro in July 2008. The Council is also seeking to progress an extension to the fire station in Longford Town. The Department has requested the Council to rank these projects in order of priority and is awaiting a response in this regard.

A new fire station to be funded under the Department's fire service capital programme is currently under construction at Edgeworthstown in County Longford. Further investment in the fire service in Co Longford will be considered under future capital programmes having regard to the existing facilities, the level of activity, the proximity of other fire stations, the fire authority's priorities and the totality of demands of other fire authorities on the limited funds available under the fire services capital programme.

Grant Payments

370. **Deputy Phil Hogan** asked the Minister for the Environment, Heritage and Local Government the financial assistance that is awarded annually to BirdWatch Ireland; if it is compensated for work it does in respect of landscape designations or reports used in respect of these designations; and if he will make a statement on the matter. [34847/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): My Department has provided funding to BirdWatch Ireland to employ a Species Policy Officer since November 2008, as part of a three year project to advise Government Departments,

agencies and other stakeholders on measures that need to be considered to address many bird conservation issues highlighted by a December 2007 European Court of Justice judgment . In 2009, approximately €56,800 was provided for this purpose.

Funding has also been provided to BirdWatch to support their core activity through the core and capacity building fund provided annually by my Department to the Irish Environmental Network (IEN). The IEN is an umbrella representative group for a number of environmental Non-governmental Organisations (eNGOs). In 2009 an amount of €11,586 was provided in respect of this funding to Birdwatch Ireland.

My Department also grant-aids certain conservation projects. These range from coordinating the Irish input to an atlas of breeding birds in Ireland and Great Britain, to conservation projects for rare or threatened species, such as projects on the corncrake, barn owl, and two tern species. BirdWatch Ireland organised the work programmes for these projects and brought considerable levels of volunteer assistance to improve the outputs. Work on public awareness was also supported. The total grant aid in 2009 was approximately €279,000.

My Department outsources a certain amount of essential scientific work, including the gathering of data, which is used by my Department to assist in informing the approach to designating conservation areas. BirdWatch Ireland has tendered successfully for a range of contracts. The Irish Wetland Birds Survey, which is operated through such a contract, carried out a large number of counts of birds in wetlands throughout Ireland during the winter months. Much of the counting is done by BirdWatch volunteers. The large volume of data is collected, authenticated, analysed and reported on by scientific staff of BirdWatch Ireland. A contract fee of some €107,000 was paid for this work in 2009.

In 2009, my Department outsourced work, to assist the preparation of conservation objectives for sites designated as Special Protection Areas under the EU Birds Directive, through a tender process. BirdWatch Ireland won the contract and were paid approximately €124,000 for the work in 2009.

Waste Disposal

371. **Deputy Seán Fleming** asked the Minister for the Environment, Heritage and Local Government the number of households here that are availing of a wheelie bin service and the number of houses who are not availing of this service; his views on whether the cost of this service is prohibitive for many persons and resulting in a large number of households not availing of a wheelie bin service; and if he will make a statement on the matter. [34851/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Local authorities have statutory responsibility, under section 33 of the Waste Management Act 1996, to collect, or arrange for the collection of, household waste within their functional areas. In accordance with section 52 of the Protection of the Environment Act 2003, the determination of waste management charges is a matter for the relevant local authority. Similarly, where a private operator provides the collection service, it is a matter for that operator to determine charges. Consequently, the information sought is not held in my Department.

Planning Issues

372. **Deputy James Bannon** asked the Minister for the Environment, Heritage and Local Government the legislation pending regarding unfinished estates; and if he will make a statement on the matter. [34889/10]

Minister of State at the Department of Environment, Heritage and Local Government (Deputy Ciarán Cuffe): Section 59 of the Planning and Development (Amendment) Act 2010, which amends section 180 of the Principal Act, includes a number of provisions related to unfinished estates. The reference to “owners or occupiers” is replaced with a reference to “owners”. The effect of this is to provide that the planning authority must respond to a request for the taking-in-charge of an estate received from a majority of the owners of the units in the estate. This amendment implements a recommendation of the Law Reform Commission in relation to Multi-Unit Developments that it should be the owners of the property who have the right to determine whether an estate is taken in charge or not.

In addition, in relation to estates which have not been completed to the satisfaction of the planning authority, section 180 currently provides that, where enforcement proceedings have not been commenced within the period of 7 years from the expiration of the planning permission, the planning authority must, if requested to do so by the majority of the owners or occupiers, initiate the procedures for taking-in-charge of the estate. The Planning and Development (Amendment) Act 2010 introduces a new provision to provide that a planning authority may take in charge an unfinished estate, at the request of the owners of the housing units, at any time after the expiration of the planning permission, in situations where enforcement actions have commenced or where the planning authority consider that enforcement action will not result in the satisfactory completion of the estate by the developer. Planning authorities have also been empowered to take in charge part of an estate, or some but not all of the facilities in an estate.

It is intended that section 59 of the Planning and Development (Amendment) Act 2010 will be commenced shortly.

Property Management Companies

373. **Deputy Paul Gogarty** asked the Minister for the Environment, Heritage and Local Government if he will clarify the situation regarding residents living in estates managed by management companies; if it is possible for such estates to pass a resolution requesting a local authority to take them in charge after a ten-year period; and if he will make a statement on the matter. [34899/10]

Minister of State at the Department of Environment, Heritage and Local Government (Deputy Ciarán Cuffe): I refer to the reply to Question No. 1498 of 29 September, 2010, which sets out the position on this matter.

EU Directives

374. **Deputy Jim O’Keeffe** asked the Minister for the Environment, Heritage and Local Government the number of EU directives awaiting transposition into law in his Department; the reasons for the delays; and the reaction of the EU Commission in each case to such delays. [34933/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): There are currently two Directives in my Department’s area of responsibility, which are outstanding for transposition. These are the Directive on ambient air quality and cleaner air for Europe and the Marine Strategy Framework Directive which were due to be transposed on the 11 of June 2010 and 15 July 2010, respectively. The delay in transposition is due to the complexity of the issues involved and the need for wide and comprehensive consultation with interested parties. The European Commission initiated infringement proceedings on 17 September 2010 in relation to the late transposition of the Marine Strategy Framework

Directive. A further nine Directives are due for transposition between December 2010 and the end of 2012. Details of the Directives referred to are set out in the following table. My Department is working to ensure the comprehensive transposition of these Directives.

Directive Number / Subject	Deadline for Transposition	Expected Transposition Date
2008/50/EC On ambient air quality and cleaner air for Europe	11/06/2010	At the earliest possible date
2008/56/EC Establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive)	15/07/2010	At the earliest possible date
2008/98/EC On waste and repealing certain Directives	12/12/2010	By the Transposition Date
2008/99/EC On the protection of the environment through criminal law	26/12/2010	By the Transposition Date
2009/30/EC Amending Directive 98/70/EC as regards the specification of petrol, diesel and gas-oil and introducing a mechanism to monitor and reduce greenhouse gas emissions and amending Council Directive 1999/32/EC as regards the specification of fuel used by inland waterway vessels and repealing Directive 93/12/EEC	31/12/2010	By the Transposition Date
2008/114/EC On the identification and designation of European critical infrastructure and the assessment of the need to improve their protection.	12/01/2011	By the Transposition Date
2009/71/EURATOM Establishing a Community Framework for the nuclear safety of nuclear installations. Only 2 articles require transposition as Ireland has no existing or planned nuclear installations.	22/07/2011	By the Transposition Date
2009/90/EC Laying down, pursuant to Directive 2000/60/EC of the European Parliament and of the Council, technical specifications for chemical analysis and monitoring of water status	21/08/2011	By the Transposition Date
2009/126/EC On Stage II Petrol Vapour Recovery during refuelling of motor vehicles at service stations.	01/01/2012	By the Transposition Date
2002/91/EC Recast Directive on the Energy Performance of Buildings by way of recasting Directive 2002/91/EC	09/07/2012	By the Transposition Date
2009/29/EC Amending Directive 2003/87/EC so as to improve and extend the greenhouse emission allowance trading scheme of the Community	31/12/2012	By the Transposition Date

Motor Taxation

375. **Deputy Terence Flanagan** asked the Minister for the Environment, Heritage and Local Government if he will deal with the following matter (details supplied); and if he will make a statement on the matter. [34943/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): There are no plans to abolish the current system of motor taxation in favour of one that places additional taxation on motor fuel. Any change in policy concerning motor taxation would have significant implications for the revenue base of local authorities, as the proceeds from motor tax are paid directly into the Local Government Fund to support the funding of local authorities. The Fund is used predominantly to meet general purpose requirements of local authorities and to support the maintenance and development of the non-national road network.

Water and Sewerage Schemes

376. **Deputy Arthur Morgan** asked the Minister for the Environment, Heritage and Local Government, further to Parliamentary Question No. 1515 of 29 September 2010, if an appli-

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cation has been received from Donegal County Council for pipe replacement at Magheroarty, County Donegal; and if he will make a statement on the matter. [35002/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): My Department funds works to deal with water quality issues identified by the Environmental Protection Agency on its Remedial Action List (RAL) under the Small Schemes measure of the Rural Water Programme. Donegal County Council has applied for funding under this measure to carry out pipe rehabilitation/replacement work at Magheroarty. This type of work is not normally eligible for RAL works funding and should be carried out under the Council's water conservation programme. In this regard, the reply to Question No. 1515 of 29 September 2010 clarifies the position.

Foreshore Licences

377. **Deputy David Stanton** asked the Minister for the Environment, Heritage and Local Government, further to Parliamentary Question No 479 of 6 July, if a decision has been reached yet on the eight foreshore applications (details supplied); if not, when he expects a decision to be reached on same; and if he will make a statement on the matter. [35017/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): My Department will shortly complete its assessment of the impacts of the activities which are the subject of the applications in Cork Harbour. The applicant's formal response to the rental values proposed to him in October 2009 is also required by my Department before the applications can be progressed to a determination.

Telecommunications Services

378. **Deputy Leo Varadkar** asked the Minister for Communications, Energy and Natural Resources the position regarding implementing the monitoring of the quality of broadband initiative, encompassing independent in-country monitoring of broadband speed, quality and access; whether he or ComReg intends to issue a tender for the job; and if he will make a statement on the matter. [34536/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The regulation of telecommunications operators, including regulatory issues surrounding the quality of broadband services provided to customers, is the responsibility of the independent Commission for Communications Regulation (ComReg). Surveys undertaken for ComReg during 2010 indicate high levels of satisfaction with residential and broadband speeds. Additionally, less than 2.4% of consumer complaints to ComReg in the year to July 2010 related to broadband speeds. In March 2008, the Advertising Standards Authority of Ireland, guided by ComReg and the National Consumer Agency, issued an Advice Note to Broadband Providers which has had a positive impact in aligning speeds advertised with speeds experienced.

More recently, my Department, in collaboration with ComReg, has been considering how best to generate additional statistical analysis of broadband speeds experienced by end users over the competing platforms in Ireland. In the course of developing the various measurement and related requirements to be inserted in a proposed invitation to tender document, a number of issues have arisen and these issues are currently under consideration. I have asked for an update on the matter as soon as possible, with a view to proceeding with the study.

Energy Conservation

379. **Deputy Seán Fleming** asked the Minister for Communications, Energy and Natural

Resources the position regarding the warmer homes scheme; the number of persons who have been contacted in connection with this scheme who are in receipt of fuel allowance; the number availing of this offer; the number who are expected to have works carried out under the warmer homes scheme; the estimated cost of this programme; and if he will make a statement on the matter. [34860/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The Warmer Homes Scheme (WHS), which is administered by the Sustainable Energy Authority of Ireland (SEAI) on behalf of my Department, provides energy efficiency improvements to homes in, or at risk of, energy poverty. The scheme is delivered through a combination of community based organisations (CBOs) and a panel of private contractors. The SEAI and the CBOs identify and address vulnerable homes, in partnership with local networks of community support and poverty organisations, which include public health nurses, MABS and St. Vincent De Paul. Since the inception of the WHS in 2000, almost 62,000 low income homes have been upgraded with energy efficiency measures.

The SEAI has worked closely with the Department of Social Protection to identify vulnerable homes, and have conducted a mail shot directed at the 46,000 homes in receipt of Fuel Allowance. The mail shot was dispatched in July 2010, and comprised information on the scheme and the application process. Some 12,500 applications have been received to date, and it is estimated that approximately 15,000 eligible homes will be identified through this process.

The funding allocation to the programme has been significantly increased over the course of 2009 and 2010. This has enabled the programme to scale up both in terms of geographic coverage and depth of works undertaken in individual homes, and the scheme is now available on a nationwide basis. The 2010 Allocation for the WHS for is €29.81 million, and it is expected that 22,500 homes will be improved under the scheme this year.

Electricity Transmission Network

380. **Deputy Seymour Crawford** asked the Minister for Communications, Energy and Natural Resources if he will meet the County Monaghan anti-pylon group to discuss issues regarding the planning process and the lack of funding for those who wish to have their issues dealt with through the planning process (details supplied); and if he will make a statement on the matter. [34869/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The planning and construction of electricity transmission infrastructure is a matter for EirGrid as Ireland's statutory State owned transmission system operator and I have no role nor intervene in the day-to-day planning and operational decisions by EirGrid in relation to transmission infrastructure.

The planning process for strategic energy infrastructure is the function of An Bord Pleanála as the independent statutory authority in respect of strategic infrastructure developments. It would not be appropriate for to intervene in matters arising in relation to projects subject to the planning process. Issues relating to the consent process for the North South Interconnector project are proper to An Bord Pleanála. In the circumstances, a meeting with the group in question would not be appropriate.

I am fully aware of the concerns expressed in relation to the Meath Tyrone 400kV electricity interconnector development project which is currently subject to the planning process North and South. During the preplanning consultation phase of this development, I met with representatives of the community who had concerns in relation to aspects of the development. In recognition of the concerns I arranged at that time for my Department to commission an

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independent report into the comparative merits of overhead lines versus underground cables. I subsequently arranged for the consultants who completed the report to appear before the Joint Oireachtas Committee on Communications, Energy and Natural Resources.

I met with representatives of Rush Community Council in respect of the East West Interconnector which has already received planning permission from An Bord Pleanála. I have requested my Department to commission an independent and international Expert Opinion on the issue of electromagnetic fields and HVDC electricity cables in the context of concerns expressed by Rush Community Council. This work has now been commissioned and will be published and conveyed to all relevant stakeholders, when it is completed. The objective in commissioning this opinion, and the previous analysis in relation to underground cables and overhead lines, is to provide further independent information input that assists in addressing local concerns.

EU Directives

381. **Deputy Jim O’Keeffe** asked the Minister for Communications, Energy and Natural Resources the number of EU directives awaiting transposition into law in his Department; the reasons for the delays; and the reaction of the EU Commission in each case to such delays. [34928/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): There are eight EU Directives awaiting transposition by my Department. None of these Directives is overdue for transposition. Details of the Directives are shown in the following table:

Title of Directive	Due date for transposition
Directive 2008/6/EC, amending Directive 97/67/EC, on the full accomplishment of the internal market of Community postal services.	31 December 2010
Directive 2009/72/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in electricity and repealing Directive 2003/54/EC	3 March 2011
Directive 2009/73/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in natural gas and repealing Directive 2003/55/EC	3 March 2011
Directive 2010/30/EU of the European Parliament and of the Council of 19 May 2010 on the indication by labelling and standard product information of the consumption of energy and other resources by energy-related products	June 2011
Directive 2009/136/EC amending Directive 2002/22/EC on universal service and users’ rights to electronic communications networks and services and Directive 2002/58/EC on the processing of personal data and the protection of privacy in the electronic communications sector	31 May 2011
Directive 2009/140/EC amending Directive 2002/21/EC on a common regulatory framework for electronic communications networks and services; Directive 2002/19/EC on access to and interconnection of electronic communications networks and associated facilities and Directive 2002/20/EC on the authorisation of electronic communications networks and services.	31 May 2011
Directive 2009/28/EC — Renewable Energy Directive — on the promotion of energy from renewable sources	6 December 2010
Directive 2009/119/EC of the European Parliament and of the Council of 14th September 2009 amending Directive 2006/67/EC	31 December 2012

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382. **Deputy Billy Timmins** asked the Minister for Communications, Energy and Natural

Resources the position regarding broadband for an area (details supplied) in County Wicklow; and if he will make a statement on the matter. [34954/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The provision of broadband services is in the first instance a matter for private sector service providers. ComReg's website www.callcosts.ie provides detailed information on the various private sector telecommunications products and services available on a county by county basis including County Wicklow. The Government does however, intervene in the market in instances of clear market failure, as in the case of the National Broadband Scheme (NBS). Details of all the areas to be covered by the NBS, including the current status of the NBS roll out, are available at www.three.ie/nbs.

Prior to the commencement of the NBS a detailed mapping exercise was carried out to help determine those areas that would be included in the scheme and those which, by virtue of being already substantially served by existing broadband suppliers, could not be included. That mapping exercise found that a number of existing broadband suppliers were already active in the area referred to in the Deputy's Question and consequently the locality was excluded from the Scheme in accordance with EU State Aid and competition rules. It continues to be a priority of the Government that there will be broadband coverage across the entire country. However, despite Government and private investment in broadband, I am aware that there continues to be a small percentage of premises throughout the country that will not be capable of receiving broadband services. This is primarily due to technical and other reasons (suitability of a telephone line, distance from an enabled exchange, no line of sight etc.).

The European Commission has set aside a portion of the European Economic Recovery Programme (EERP) funding for rural broadband initiatives. Using this funding, which will be augmented by an Exchequer contribution, I intend to formally launch a Rural Broadband Scheme before the end of this year. This scheme will aim to provide a basic broadband service to individual non served rural premises outside of the National Broadband Scheme areas, including such premises in County Wicklow.

383. **Deputy Willie Penrose** asked the Minister for Communications, Energy and Natural Resources the steps he will take to communicate with Eircom in regard to its proposal to introduce a minimum payment of €20 from its customers and request that it reverse this decision immediately; if he will intervene with a company (details supplied) and request a reversal of its decision to unilaterally transfer without consultation all its customers to electronic billing, which is a clear breach of the contractual arrangement prevailing; and if he will make a statement on the matter. [35084/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The regulation of telecommunications operators, including regulatory issues surrounding bill collection and billing by operators, is the responsibility of the Commission for Communications Regulation (ComReg) in accordance with its functions under the Communications Regulation Act 2002.

Eircom has indicated to ComReg that it is in ongoing discussions with An Post on issues arising from the over-the-counter payment service available at post offices which resulted in Eircom introducing a minimum €20 payment for transactions using this service. Eircom has pointed out to ComReg that it continues to offer its customers facilities to pay bills by agreed instalments at levels below the minimum €20 payment imposed on over-the-counter service. The alternative payment options include An Post's Household Budget scheme, retail outlets

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nationwide which operate the Payzone, Paypoint or Postpoint schemes and payments by electronic means. Eircom has advised ComReg that it will notify these alternatives to its customers.

In the case of O2, the company which has commenced an on-line billing trial, this is also a matter for ComReg. I understand that ComReg advised O2 that it has serious reservations about the proposal to arbitrarily switch consumers to this new on-line billing service and discussions are ongoing. ComReg advises O2 customers that they are entitled to receive a paper bill as standard and that they may do so by simply contacting O2 on 1909 to request this service.

Grant Payments

384. **Deputy John O'Mahony** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Mayo will receive their payment under the cow suckler scheme; and if he will make a statement on the matter. [34449/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The person named applied for 12 animals under the 2009 Suckler Welfare Scheme. Payment issued to the applicant in respect of one animal issued on 23 August 2010 and payment for the remaining 11 animals has been processed and will issue shortly

385. **Deputy John O'Mahony** asked the Minister for Agriculture, Fisheries and Food the reason a person (details supplied) in County Mayo did not receive their correct payment; and if he will make a statement on the matter. [34450/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): An application under the 2010 Single Payment Scheme/Disadvantaged Areas Scheme was received from the person named on 26 April 2010. Payments under the Disadvantaged Areas Scheme commenced on 22 September, with an advance payment of 75% issuing in respect of those parcels cleared for payment at that stage. The required digitising of the balance of the land declared has now been completed, as a result of which the further appropriate advance payment due to the applicant will issue shortly. The 25% balancing payments under the Scheme are scheduled to commence issuing as and from 20 October 2010.

386. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Mayo will receive their REPS 4 payment. [34467/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The EU Regulations governing REPS 4 and other area-based schemes provide that payments issue in two instalments. The first instalment of 75% may be paid once all administrative checks on all applications, as well as cross-checks against areas declared on Single Payment Scheme applications, have been completed. This process is underway and while my objective is to make all payments as soon as possible, the checks are likely to take several more weeks to complete. The balancing payment of 25% issues once all on-the-spot inspections for the year have taken place. The programme of inspections is well advanced at this stage.

Legislative Programme

387. **Deputy Seán Barrett** asked the Minister for Agriculture, Fisheries and Food when the Animal Health and Welfare Bill will come before the Dáil; and if he will make a statement on the matter. [34506/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Preparation of the Animal Health and Welfare Bill which gives effect to commitments in the Programme for Government and the Renewed Programme for Government on issues relating to animal health and welfare is ongoing in my Department. The new bill will consolidate and update a wide range of existing legislation to ensure that the welfare of all animals, including non-farm animals is properly protected and that the penalties for offenders are increased significantly. Its consolidation into a single statute will provide considerably more convenience to all those who deal with or have an interest in animal health and welfare matters. I propose to submit the proposed heads of this bill to the Government at an early date.

Disadvantaged Areas Scheme

388. **Deputy Joe McHugh** asked the Minister for Agriculture, Fisheries and Food if he will expedite the area aid maps process and to deliver overdue area aid payments to farmers as quickly as possible; his views on whether these delays are causing cash-flow difficulties that are preventing farmers from investing in dry stock at this time; to acknowledge that this is the appropriate time of year for Irish dry-stock farmers to invest in store cattle and store lambs and that credit is necessary for this; to acknowledge that farmers' cash flow problems are compounded by the banks' credit recalcitrance; and if he will make a statement on the matter. [34521/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): My entire focus is to make the maximum permissible payments to farmers under each of the relevant Direct Payment Schemes, at the earliest possible dates, having due regard to the governing regulations. In this regard, I am confident that almost €1.5 billion will be paid to Irish farmers before 31 December 2010. In relation to the 2010 Disadvantaged Areas Scheme, I have exercised the option of making a 75% advance payment; these payments began issuing on 22 September and I have scheduled the balancing payments for 20 October. I have taken this option because of the EU requirement to entirely process applications before payment can be made in full. This approach will ensure the maximum number of farmers will get an advance payment, whereas a far fewer number of farmers could be paid in full if an alternative option were taken. The rate of payment under DAS is unchanged from last year and I am confident that all applicants will receive their full entitlement when their maps and applications are fully processed.

With regard to the Single Payment Scheme, I sought EU agreement to make an advance payment and, I am pleased to say that, based on the strong case that I presented, this request was viewed favourably by the EU Commission and was subsequently unanimously approved by the relevant Management Committee. Furthermore, I have decided that payments under the new Grassland Sheep Scheme, worth some €18m to sheep farmers, will commence on the 8th of December. The schedule of payments is as follows:

22 September: 75% advance payment under the Disadvantaged Areas Scheme;

18 October: 50% advance of the Single Payment;

20 October: 25% balancing DAS payment;

1 December: 50% balancing Single Payment;

8 December: Grassland Sheep Payment.

With regard to the campaign earlier this year to encourage farmers to identify and map inelible areas of their holdings, I wish again to record my thanks to all farmers who responded

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so positively. It was anticipated that the vast majority of scheme applicants had been making sufficient allowance for these ineligible areas on their claims; however, as these areas were not recorded on my Department's LPIS mapping database, action was required as the risk of substantial EU disallowances is very real. However, the significant increase in the number of maps requiring re-digitisation has inevitably resulted in more complex processing of applications.

I am also conscious that despite this being a good year for farming from a production and price perspective, the farming community has endured two difficult years in terms of farm income. The approach that I am taking on direct payments this year will result in the maximum release of funds to farmers at the earliest possible opportunity and will underpin their incomes in 2010. This high level of funding should remind the farming community of the importance of CAP money and the need to protect this source of funding in the forthcoming EU negotiations.

389. **Deputy Joe McHugh** asked the Minister for Agriculture, Fisheries and Food the number of Donegal 2010 area aid payments that are 100% paid; the number that are unpaid; the number that are 75% paid; and if he will make a statement on the matter. [34567/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): In relation to the 2010 Disadvantaged Areas Scheme, I have exercised the option of making an advance payment of 75% of DAS beginning on 22 September, with the balancing 25% payment commencing 20 October. I have taken this option because of the EU requirement to entirely process applications before payment can be made in full. However, this approach is ensuring the maximum number of farmers will get an advance payment, whereas a far fewer number of farmers could be paid in full if an alternative option were taken. The rate of payment under DAS is unchanged from last year and I am confident that all applicants will receive their full entitlement when their maps and applications are fully processed. A total of 8,497 Donegal applicants applied under the 2010 Scheme; to date, 5,848 applicants have received their advance payment. Payments continue to issue on an ongoing basis as individual cases are cleared.

Grant Payments

390. **Deputy Pat Breen** asked the Minister for Agriculture, Fisheries and Food the reason full payment has not issued to a person (details supplied) in County Clare; when lands will be digitalised; and if he will make a statement on the matter. [34600/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): An application under the 2010 Single Payment Scheme/Disadvantaged Areas Scheme was received from the person named on 12 May 2010. Payments under the Disadvantaged Areas Scheme commenced on 22 September, with an advance payment of 75% issuing in respect of those parcels cleared for payment at that stage. As the person named listed four plots on his application, the advance payment issued in respect of the balance of the land declared. Immediately the digitising process is complete, provided no errors are identified, the advance payment due in respect of the land in question will issue to the person named shortly thereafter. The 25% balancing payments under the Scheme are scheduled to commence issuing as and from 20 October 2010.

Departmental Expenditure

391. **Deputy Ulick Burke** asked the Minister for Agriculture, Fisheries and Food the number of years that a contractor (details supplied) has been engaged by his Department for the purposes of providing mapping services; the amount of money paid to this contractor for each year of the contract; the facilities and terms of accommodation and equipment provided to this

contractor by the Department; if the contractor has been engaged by his Department in each year on foot of the standard competitive tendering process and if the Department is satisfied that there is no conflict of interest between the contractor and any member of staff within the Department; and if he will make a statement on the matter. [34608/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The entire Direct Payments made by my Department are dependent on the operation by my Department of an up to date Land Parcel Identification System. That system must, as required by EU legislation, in particular the Integrated Administrative and Control System (IACS), be kept fully updated each year reflecting the annual return of maps by farmers applying under the various Direct Payment schemes. In relation to those Direct Payment Schemes, €1.3 billion is paid annually to Irish farmers under the Single Payment Scheme and a further €700 million when account was taken of the other area related Schemes (REPS, Disadvantaged Areas Scheme and the Afforestation Aid Scheme).

The digitising work must be carried out to meet my Department's deadlines and to the high standard required both by my Department and the European Union's IACS. Under IACS, the payments made together with the operation of the Land Parcel Identification System in Ireland are subject to frequent and rigorous audits by the European Commission and the European Court of Auditors. The quality of the digitising work carried out for my Department by the named company has never been called into question during any of those audits. In addition the company named has played a vital role in assisting my Department meet very ambitious payment deadline since the introduction of the Single Payment Scheme including advance payment to the vast majority of farmers in the five year when such advance payment was approved by the EU Commission. The company named has been engaged in the provision of digitising services for the past sixteen years. During that time the amount paid per year was as follows:

Year	
1995	£2,841,054
1996	£3,147,949
1997	£1,198,879
1998	£1,359,579
1999	£1,039,933
2000	£1,130,267
2001	€1,052,782
2002	€1,220,072
2003	€1,465,658
2004	€1,569,596
2005	€1,253,353
2006	€1,193,544
2007	€1,643,396
2008	€2,051,473
2009	€2,087,569
2010	€1,440,645

My Department provides such accommodation and other equipment required by the company named to facilitate its staff carrying out their digitising duties to the standard required. In practice, the staff of the digitising company are required to work with the staff of the Single Payment Unit. Consequently the staff of the Digitising company are accommodated in Govern-

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ment Offices, Portlaoise and in Agriculture House, Kildare Street, adjacent to the staff of the Single Payment with whom they continually interact. The maps submitted by applicants are vitally important documents and it is important that they are not mislaid. If the changes illustrated in the maps are accurate it will ensure that the farmer is fully paid. It will also mean that the Land Parcel Identification System database is accurate. Therefore, it is important that the maps are processed within my Department.

The digitising company has been chosen every three years under an open Invitation to Tender Procedure conducted in line with Public Procurement procedures. Tenders have been invited on a three yearly basis with provision for an annual review. I am satisfied that those tender procedures were adjudicated upon in full compliance with Public Procurement Procedures and I am satisfied that there is no conflict of interest between the contractor named and any member of staff within my Department.

Pension Provisions

392. **Deputy John McGuinness** asked the Minister for Agriculture, Fisheries and Food if a person (details supplied) in County Carlow is entitled to a pension. [34626/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Preserved pension benefits for staff with at least 5 years service who leave the civil service before minimum retirement age were introduced for established staff serving on or after 1 June 1973 and for un-established staff serving on or after 1 October 1975. As the person named left my Department in 1970, she is therefore not entitled to a pension. If she subsequently served in another Government Department or in a public body participating in the Public Sector Transfer of Service Network, the service may be transferred to the latter organisation for pension purposes.

Afforestation Programme

393. **Deputy Fergus O'Dowd** asked the Minister for Agriculture, Fisheries and Food if he will respond to correspondence from a person (details supplied); and if he will make a statement on the matter. [34637/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): To put the question, and my reply, in context, the correspondence provided by the Deputy relates to the proposed felling by Coillte of a coniferous forest at Townleyhall, Co. Louth. Coillte Teoranta was established as a private commercial company under the Forestry Act, 1988. While the control of felling is a regulatory matter for my Department, once a felling licence has been granted, the felling operation is a day-to-day operational matter for the company and, as such, is the responsibility of the company.

As part of my Department's consideration of the application for the felling licence for the area in question, consultation was carried out with the National Parks and Wildlife Service, Louth Co. Council and the Eastern Regional Fisheries Board. The application was also referred to my Department's Archaeologist and Forestry Environmental Inspector for consideration. I am satisfied, in relation to regulatory, environmental and silvicultural considerations, that it was in order to issue the felling licence. Indeed, because the site in question is prone to windthrow and wind snap risk, it was determined that the best management option was the removal of the coniferous forest.

While it is now an operational matter for Coillte, the concerns expressed in the correspondence were raised with Coillte. I understand that it is the company's intention to remove the conifer species and retain the hardwoods thus improving the amenity over time and that the works will not impact the existing designated walking trails. I am also advised that the company

engaged in public consultation in relation to their proposals for the future management of this forest and that an Environmental Impact Assessment is carried out on harvesting sites and if any wildlife, etc., is noted, then mitigation action is taken. The company suggests that, if the correspondent is aware of the location of nests of any rare birds, he should pass this information onto the company directly. Coillte advise that the long term plan for this area is to extend the area of broadleaves and, as funds become available, to enhance the existing amenities.

Domestic Abattoirs

394. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food the progress to date in implementing the findings of the review steering group regarding staffing for the hygiene package; and if he will make a statement on the matter. [34641/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Slaughterhouses and meat processing plants operate under the approval of my Department in accordance with the terms of EU Regulations which are collectively known as the ‘Hygiene Package’. These plants are supervised by veterinary inspectors employed by the Department, assisted in their duties by technical staff and by temporary veterinary inspectors (TVIs) drawn from private practice on a rota basis. Recommendations arising from a Value for Money (VFM) review relating to the use of the services of TVIs in slaughter plants under the supervision of the Department, along with recommendations arising from other reviews relating to the optimum deployment of the national veterinary public health inspectorate, are being taken into account in revised arrangements for controlling meat plants.

In this context, while it is intended that the use of auxiliaries as recommended by the VFM review will be introduced in certain areas, initially on a pilot basis, a number of issues remain to be addressed. Supplementary training will be required to allow technical staff to carry out post-mortem meat inspection, except in relation to poultry meat (as the Department has already assigned some post mortem inspection duties to technical staff working in poultry processing establishments). In addition, such a reassignment will require consultation with the representatives of the technical staff concerned and the TVIs.

Grant Payments

395. **Deputy Olwyn Enright** asked the Minister for Agriculture, Fisheries and Food the reason a payment has been withdrawn from a person (details supplied) in County Offaly; when this payment will be reinstated; and if he will make a statement on the matter. [34644/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): An application under the 2010 Single Payment Scheme/Disadvantaged Areas Scheme was received from the person named on 17 May 2010. Payments under the Disadvantaged Areas Scheme commenced on 22 September, with an advance payment of 75 per cent issuing in respect of those cases cleared for payment at that stage; the application of the person named was one of those who received the full advance payment. The 25% balancing payments under the Scheme are scheduled to commence issuing as and from 20 October 2010.

Decentralisation Programme

396. **Deputy Seán Fleming** asked the Minister for Agriculture, Fisheries and Food the number of staff that have decentralised to Portlaoise as part of the current decentralisation programme; the number of staff that were already in Portlaoise prior to this programme and the total number of departmental staff now in Portlaoise; and if he will make a statement on the matter. [34855/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The original Government decision on the decentralisation of my Department provided for the decentralisation of some 600 headquarter posts to Portlaoise. Since the decentralisation programme began some 300 posts in my Department have been decentralised bringing the total there to almost 500 posts.

Farm Incomes

397. **Deputy Seán Fleming** asked the Minister for Agriculture, Fisheries and Food if he will provide an outline of farm incomes in 2010 compared with 2009; his views on prices for milk, grain, sheep and beef; and if he will make a statement on the matter. [34859/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The latest farm income data available, produced by Teagasc in its National Farm Survey for 2009, estimated that average farm income for 2009 was €11,968. Full-time farms, as defined by Teagasc, had an average farm income of €24,214. Comparison with 2010 is not yet possible as this data will not be available until next year. When compared with prices for July 2009, the latest CSO Agricultural Price Indices for July 2010 showed increases of 38% for milk, 17.8% for sheep and 2.9% for cattle. There have been year-on-year decreases in inputs such as feedingstuffs (–8.1%) and fertilisers (–5.2%) documented in the same CSO publication. This should lead to improved income figures for 2010 when the data is published next year. Comparative cereal price data will become available later this month. It is expected that global supply shortages should lead to increased demand and increased prices when the statistics are published.

Veterinary Services

398. **Deputy Seymour Crawford** asked the Minister for Agriculture, Fisheries and Food if he will clarify the situation regarding the factual numbers of district veterinary offices in the country (details supplied); and if he will make a statement on the matter. [34868/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Over the past year, my Department has been engaged in a comprehensive reconfiguration of the local office structure, as part of which sixteen enhanced regional offices are being developed. This process is designed to ensure that the Department continues to provide an efficient and effective service to the Department's clients. The Department's office in Ballybay is continuing to provide a full range of services to its local clients and additional work relating to the national Aujeszky's Disease and Eradication Programme and the Suckler Welfare Scheme has also been transferred to the Ballybay office and will continue to be carried out there. It is normal practice in all of the Department's offices, as has been the case in Ballybay, that the majority of farmers' files are maintained in electronic format and paper files regularly archived to save space. As the reconfiguration process continues, the Department will continue to engage with the staff concerned and ensure that they are kept informed of the progress of that process, including any further decisions on the assignment of work to such local offices.

Grant Payments

399. **Deputy James Bannon** asked the Minister for Agriculture, Fisheries and Food the position regarding a person who is availing of the entitlements of a person (details supplied) in County Longford or drawing down premia payments, when the person did not establish single payment entitlements; and if he will make a statement on the matter. [34888/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The person named did not draw down any premia payments during the reference period (2000-2002) and therefore did not establish Single Payment Entitlements. A 2010 application to transfer entitlements from

the person named was received by my Department; however this application was rejected as there were no entitlements in the account of the person named.

400. **Deputy Tom Hayes** asked the Minister for Agriculture, Fisheries and Food when a single farm payment will issue to a person (details supplied) in County Tipperary in respect of 2008; and if he will make a statement on the matter. [34902/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The person named is one of three applicants who have declared commonage land on their SPS applications: two applicants each declared a half share, while the third claimed a one-third share. All applicants have submitted varying degrees of proof in support of their claims to my Department in support of their declaration. However, given the inherent conflict, it has been necessary to refer the matter to the Department’s Legal Services Division for consideration. Notwithstanding this, the onus rests with the claimants concerned to clarify the position regarding their respective rights to the commonage land concerned.

401. **Deputy Joe Carey** asked the Minister for Agriculture, Fisheries and Food when his Department expect to be in a position to pay the disadvantaged area payment in respect of a person (details supplied); and if he will make a statement on the matter. [34924/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): An application under the 2010 Single Payment Scheme/Disadvantaged Areas Scheme was received from the person named on 21 April 2010. Payments under the Disadvantaged Areas Scheme commenced on 22 September, with an advance payment of 75 per cent issuing in respect of those parcels cleared for payment at that stage. The person named declared two land plots on his application, which required digitisation; immediately this process is complete, provided no errors are identified, the payment due will issue to the person named shortly thereafter. The 25% balancing payments under the Scheme are scheduled to commence issuing as and from 20 October 2010.

EU Directives

402. **Deputy Jim O’Keeffe** asked the Minister for Agriculture, Fisheries and Food the number of EU directives awaiting transposition into law in his Department; the reasons for the delays; and the reaction of the EU Commission in each case to such delays. [34927/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The 20 directives to be transposed into national law for which my Department has responsibility are set out in the attached schedule. None are overdue for transposition. I intend to have the directives implemented by the due date in each case.

Title of Directive	Date by which Directive is to be implemented
Commission Directive 2010/6/EU of 9 February 2010 amending Annex I to Directive 2002/32/EC of the European Parliament and of the Council as regards mercury, free gossypol, nitrites and <i>Mowrah, Bassia, Madhuca</i>	1 November 2010
Commission Directive 2010/58/EU of 23 August 2010 amending Council Directive 91/414/EEC as regards an extension of the use of the active substance iprodione	24 December 2010
Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law	26 December 2010

[Deputy Brendan Smith.]

Title of Directive	Date by which Directive is to be implemented
Commission Directive 2009/106/EC of 14 August 2009 amending Council Directive 2001/112/EC relating to fruit juices and certain similar products intended for human consumption	31 December 2010
Commission Directive 2009/145/EC of 26 November 2009 providing for certain derogations, for acceptance of vegetable landraces and varieties which have been traditionally grown in particular localities and regions and are threatened by genetic erosion and of vegetable varieties with no intrinsic value for commercial crop production but developed for growing under particular conditions and for marketing of seed of those landraces and varieties	31 December 2010
Commission Directive 2010/39/EU of 22 June 2010 amending Annex I to Council Directive 91/414/EEC as regards the specific provisions relating to the active substances clofentezine, diflufenuron, lenacil, oxadiazon, picloram and pyriproxyfen	31 December 2010
Commission Directive 2010/46/EU of 2 July 2010 amending Directives 2003/90/EC and 2003/91/EC setting out implementing measures for the purposes of Article 7 of Council Directives 2002/53/EC and 2002/55/EC respectively, as regards the characteristics to be covered as a minimum by the examination and the minimum conditions for examining certain varieties of agricultural plant species and vegetable species	31 December 2010
Council Directive 2009/143/EC of 26 November 2009 amending Directive 2000/29/EC as regards the delegation of the tasks of laboratory testing.	1 January 2011
Commission Directive 2010/38/EU of 18 June 2010 amending Council Directive 91/414/EEC to include sulfuryl fluoride as active substance	28 February 2011
Commission Directive 2010/42/EU of 28 June 2010 amending Council Directive 91/414/EEC to include FEN 560 (fenugreek seed powder) as active substance	30 April 2011
Commission Directive 2010/50/EU of 10 August 2010 amending Directive 98/8/EC of the European Parliament and of the Council to include dazomet as an active substance in Annex I thereto	31 July 2011
Commission Directive 2010/51/EU of 11 August 2010 amending Directive 98/8/EC of the European Parliament and of the Council to include N,N-diethyl-met-atoluamide as an active substance in Annex I thereto	31 July 2011
Commission Directive 2010/52/EU of 11 August 2010 amending, for the purposes of adaptation of their technical provisions, Council Directive 76/763/EEC relating to passenger seats for wheeled agricultural or forestry tractors and Directive 2009/144/EC of the European Parliament and of the Council on certain components and characteristics of wheeled agricultural or forestry tractors	1 March 2011
Commission Directive 2010/62/EU of 8 September 2010 amending, for the purpose of adapting their technical provisions, Council Directives 80/720/EEC and 86/297/EEC and Directives 2003/37/EC, 2009/60/EC and 2009/144/EC of the European Parliament and of the Council relating to the type-approval of agricultural or forestry	29 September 2011
Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides	26 November 2011
Commission Directive 2010/60/EU of 30 August 2010 providing for certain derogations for marketing of fodder plant seed mixtures intended for use in the preservation of the natural environment	30 November 2011
Commission Directive 2010/54/EU of 20 August 2010 amending Annex I to Council Directive 91/414/EEC to renew the inclusion of azimsulfuron as active substance	31 January 2012
Commission Directive 2010/55/EU of 20 August 2010 amending Annex I to Council Directive 91/414/EEC to renew the inclusion of azoxystrobin as active substance	31 January 2012
Commission Directive 2010/56/EU of 20 August 2010 amending Annex I to Council Directive 91/414/EEC to renew the inclusion of prohexadione as active substance	31 January 2012
Commission Directive 2010/57/EU of 26 August 2010 amending Annex I to Council Directive 91/414/EEC to renew the inclusion of imazalil as active substance	31 January 2012

Grant Payments

403. **Deputy Tom Sheahan** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Kerry may expect to receive the remainder of their payment. [34963/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): An application under the 2010 Single Payment Scheme/Disadvantaged Areas Scheme was received from the person named on 7 May 2010. Payments under the Disadvantaged Areas Scheme commenced on 22 September, with an advance payment of 75% issuing in respect of those parcels cleared for payment at that stage. Immediately the digitising process is complete, provided no errors are identified, the advance payment due in respect of the land parcel in question will issue to the person named shortly thereafter. The 25% balancing payments under the Scheme are scheduled to commence issuing as and from 20 October 2010.

404. **Deputy Tom Sheahan** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Kerry may expect the remainder of their payment. [34964/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): An application under the 2010 Single Payment Scheme/Disadvantaged Areas Scheme was received from the person named on 17 May 2010. Payments under the Disadvantaged Areas Scheme commenced on 22 September, with an advance payment of 75% issuing in respect of those parcels cleared for payment at that stage. As the person named listed one plot on his application, the advance payment issued in respect of the balance of the land declared. Immediately the digitising process is complete, provided no errors are identified, the advance payment due in respect of the land parcel in question will issue to the person named shortly thereafter. The 25% balancing payments under the Scheme are scheduled to commence issuing as and from 20 October 2010.

Departmental Expenditure

405. **Deputy Andrew Doyle** asked the Minister for Agriculture, Fisheries and Food if he will provide a breakdown in tabular form of the recommendations outlined by the Report of the Special Group on Public Service Numbers and Expenditure Programmes which have been accepted and implemented by his Department; the savings that have accrued as a result of such changes to expenditure; and if he will make a statement on the matter. [34971/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The following is the information requested

	Recommendation	Annual saving identified	Progress to date (Annual) saving achieved
		€m	
1	Transfer export promotion function of An Bord Bia and BIM to Enterprise Ireland; transfer BIM's other functions to DAFF and consider same for An Bord Bia	7.3	Partially implemented; BIM marketing functions transferred to An Bord Bia. COFORD integrated into DAFF.
2	Reduce Teagasc staff numbers and rationalise offices	30.0	On-going staff reductions and office rationalisation under way. Grant-in-Aid reduced from €127.3m in 2009 to €119.9m in 2009 and €114.1m in 2010.

[Deputy Brendan Smith.]

	Recommendation	Annual saving identified	Progress to date (Annual) saving achieved
		€m	
3	Transfer agricultural research funding to new single funding stream for all research	14.0	Not implemented; while R+D funding will be centralised following Government decision announced in the 2010 Budget, the Department's R+D funding has not been included in the new arrangement. No saving is envisaged as funding is required to meet existing commitments.
4	Terminate Suckler Cow Scheme	44.0	The payment rate was reduced from €80 to €40 per eligible animal in the 2009 Budget in October 2008 resulting in an annual saving of approx €32m.
5	Increase disease levies	5.0	Not implemented
6	Review the operation of the TB and Brucellosis Eradication Scheme	9.0	Not implemented; the recommendation to reduce compensation to 75% was not proceeded with due to loss of EU co-funding (€4.5m) and cost of insurance to farmers.
7	Efficiencies/reform in Inspection procedures, including disease eradication.	2.0	Reduction of €1m in travel and subsistence costs has been achieved in disease eradication as a result of new procedures.
8	Review admin costs in food safety, animal health, plant health, etc. with view to reducing costs by 10%	15.0	See comment item 14
9	Staff reductions food safety, etc..	8.3	See comment item 14
10	Close REPS 4 and no rollover of participants from REPS 2,3 into REPS 4	80.0	Implemented; REPS 4 was closed with effect from 9 July 2009. Savings of about €80m p.a. are achieved based on 13,000 new applicants p.a. The savings are offset by the cost of the new Agri-environment Options Scheme which was introduced in March 2010.
11	Staffing reductions, rural development/agri-environment, etc.	7.5	See comment item 14
12	Reduce annual expenditure on LFAs by 30%	66.0	Expenditure previously reduced by 14% (€35m p.a.) in 2009 Budget in October 2008
13	Rationalise the Departmental local office network	7.0	Being implemented; the rationalisation of the local office network is well advanced following Government decision and announcement in July 2009. Current structure of 48 local offices (DVO, AES, and Forestry offices) will be reduced to 16. Total savings are estimated at €30m p.a. and reduction in staff numbers of 400 on completion of the rationalisation programme.
14	Reduce staff numbers and implement efficiency savings	10.0	Expenditure on Salaries, Wages and Allowances has reduced from €233m in 2008 to €226.2m in 2009 and an allocation of €197m in 2010. In the same period, expenditure on travel and subsistence was reduced from €15.2m to €9.77m to €9.72m.

Share Farming Agreements

406. **Deputy Andrew Doyle** asked the Minister for Agriculture, Fisheries and Food the number of farmers currently engaged in a share farming agreement; and if he will make a statement on the matter. [34972/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): There are no figures available for the number of farmers currently involved in share farming agreements, as participants are not required to register their involvement. They are likely to be few in number in any event, as this type of arrangement is a relatively new development, launched by Teagasc a little under a year ago. Information on share farming agreements, covering how to go about the process and dealing with issues such as taxation, is available on the Teagasc website at www.teagasc.ie. I would add, from a dairying perspective, that there are currently 494 Milk Production Partnerships in operation around the country.

Grant Payments

407. **Deputy Ulick Burke** asked the Minister for Agriculture, Fisheries and Food if he will review his decision in respect of a person (details supplied) in County Galway, who has received penalties under the single farm payment scheme with a view to restoring their payment to the original assessment; and if he will make a statement on the matter. [34980/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): An application under the Single Payment Scheme/Disadvantaged Areas Scheme was received from the person named on 10 May 2010. This application was selected for and was the subject of a Ground Eligibility and Cross Compliance inspection. During the course of the inspection problems were discovered with regard to ineligible areas of land and breaches of Nitrates. This case is currently being processed and final notification of the outcome of the inspection will issue to the farmer this week. He will also be informed of his right to seek a review and to appeal the outcome of any review to the independent Agriculture Appeals Office.

Question No. 408 withdrawn.

Harbours and Piers

409. **Deputy Joe McHugh** asked the Minister for Agriculture, Fisheries and Food the amounts of funding allocated to harbour development works at Doolin, County Clare in each of the years 2005 to 2010; the date by which these funds must be or have been spent; and if he will make a statement on the matter. [35013/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The pier at Doolin is the property of Clare County Council and responsibility for its repair and upkeep rests with the Local Authority in the first instance. My Department has not allocated any funding in respect of development works at Doolin for the years 2005 to 2010.

Farm Retirement Scheme

410. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food when early retirement scheme payment will be made (details supplied). [35038/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The application from the person named is currently being examined in my Department. The applicant will be informed of the decision once this examination is complete.

Afforestation Programme

411. **Deputy Tom Hayes** asked the Minister for Agriculture, Fisheries and Food when a felling licence will issue to a person (details supplied) in County Tipperary; and if he will make a statement on the matter. [35039/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The application was referred to the Planning Section of South Tipperary County Council on the 17th September 2010 on the recommendation of the Forest Service Inspector for the area. In accordance with normal processing procedures, if no reply is received within one month of this date, that is 17th October 2010, it will be assumed that the local authority has no objections to the proposed thinning operations and a felling licence will be issued for the site.

Grant Payments

412. **Deputy Willie Penrose** asked the Minister for Agriculture, Fisheries and Food if he will ensure that a person (details supplied) will be paid the appropriate payments under the cow welfare scheme; and if he will make a statement on the matter. [35085/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The person named registered 11 animals under the 2008 Suckler Welfare Scheme. Payment has already issued to the applicant for 7 animals and a further 2 have been approved for payment and will issue in the near future. The remaining two animals have queries associated with them and the person named has been written to in this regard. The person named registered 24 animals under the 2009 Suckler Welfare Scheme. Several errors have been identified and a letter has issued to the applicant seeking clarification on these errors.

EU Funding

413. **Deputy Richard Bruton** asked the Minister for Enterprise, Trade and Innovation if Ireland is taking up the opportunity to participate in the EU's European Progress Microfinance facility which offers micro-credits up to €25,000 to small business and new start-ups; and if he will make a statement on the matter. [34564/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O'Keeffe): The European Progress Microfinance Facility was launched in 2010 and is managed by the European Investment Fund (EIF) on behalf of the European Commission. Under the European Progress Microfinance Facility, €100 million will be made available, spread over four years from 2010 to 2013, to support employment, the development of micro-enterprises and the social economy across all European Union Member States. It aims to increase lending activity to micro-borrowers through a wide range of financial intermediaries such as non-bank micro finance institutions, micro-banks, dedicated microfinance companies or investment funds, local savings banks, smaller co-operative banks, smaller development banks or institutions and selected commercial banks. As such, the EIF will not be providing direct financing to borrowers but will be facilitating lending through a range of financial support mechanisms. These supports will include guarantee instruments and funding of financial intermediaries.

The first support mechanism under the Microfinance Facility, available since July, involves a micro-loan facility under which EIF will provide a guarantee instrument to financial intermediaries providing micro-loans. Availing of this facility will still require the intermediary to bear some element of the loan risk. Applications can be made to the EIF until 31 December 2013. It is the EIF's responsibility to assess applications for guarantees and requests for financing from intermediaries, to present these requests to competent bodies for approval, to negotiate contracts with intermediaries and to monitor operations. Such applications are made directly to the EIF and do not require any national intervention. Additional financial support instruments, including funding of financial intermediaries providing micro-loans are expected to be made available by the EIF shortly.

While I am aware that some potential intermediaries in Ireland have been exploring the practicalities of using the European Progress Microfinance Facility, I am not aware of any formal applications having been made to the EIF. Obviously, I would support relevant intermediaries availing of the Facility once they were satisfied on the commercial viability of this.

Industrial Development

414. **Deputy Finian McGrath** asked the Minister for Enterprise, Trade and Innovation if he will support a matter (details supplied). [34603/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): My Department does not provide direct funding or grants to businesses but provides funding to a number of State Agencies, including the County and City Enterprise Boards (CEBs) and Enterprise Ireland, through whom assistance is delivered directly to businesses. The CEBs’ unique role positions them as a first point of contact for persons wishing to set up in business and therefore I would advise the person to contact their local CEB, the Dublin City Enterprise Board in the first instance to discuss the needs of his business with the relevant staff of the Board.

To be eligible for CEB grant support an enterprise must be in the commercial sphere, must demonstrate a market for the proposed product/service, must have a capacity for growth and new job creation and must not employ more than 10 people. CEBs can provide both financial and non-financial assistance to a project promoter. The forms of financial assistance, which are available, subject to certain restrictions and conditions, include Priming Grants, Business Expansion/Development Grants, and Feasibility/Innovation. The CEBs give priority to enterprises in the manufacturing or internationally traded services sector and must always give consideration to any potential for deadweight and displacement arising from a proposed enterprise.

In addition, the CEBs deliver a range of non-financial supports to improve management capability development within micro-enterprises designed to help new and existing enterprises to operate effectively and efficiently so as to last and grow. Dublin City Enterprise Board is located at 5th Floor, O’Connell Bridge House, D’Olier Street, Dublin 2. Phone No: 01 6351144 Fax No: 01 6351811 Email: info@dceb.ie. Website: www.dceb.ie.

County Enterprise Boards

415. **Deputy Róisín Shortall** asked the Minister for Enterprise, Trade and Innovation the number of persons, on a whole-time equivalent basis, employed in each county enterprise board. [34604/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): The role of the County and City Enterprise Boards is to provide support for micro-enterprises in the start-up and expansion phases, to promote and develop indigenous micro-enterprise potential and to stimulate economic activity and entrepreneurship at local level. The CEBs deliver a range of tailored Programmes and Supports in order to fulfil this role and may provide both financial assistance and non-financial assistance to eligible micro-enterprise projects. The attached table illustrates the number of staff employed within each of the 35 CEBs and their appropriate grade.

[Deputy Batt O’Keeffe.]

CEB	Chief Executive Officer	Assistant Chief Executive Officer	Business Advisor	Administration Staff	Total Staff Number (Whole Time Equivalent)
Carlow	1	1	0	2	4
Cavan	1	1	1	1.6	4.6
Clare	1	0	1	1	3
Cork City	1	1	1	1	4
Cork North	0	0	1	1	2
Cork South	1	1	1	1	4
Cork West	1	0.8	1	1	3.8
Donegal	1	1	1	2	5
Dublin City	1	1	1	2	5
Dublin South	1	0	0.8	2	3.8
Dún Laoghaire/Rathdown	1	1	1	2	5
Fingal	1	1	1	1	4
Galway	1	0	1	1	3
Kerry	1	1	1	1.3	4.3
Kildare	1	1	0	2	4
Kilkenny	1	1	1	1	4
Laois	1	1	0	1	3
Leitrim	1	1	1	1.2	4.2
Limerick City	1	1	1	1	4
Limerick County	1	0.8	1	1	3.8
Longford	1	1	1	1	3
Louth	1	1	0.8	1.4	4.2
Mayo	1	1	0	1	3
Meath	1	0.8	0.8	2	4.6
Monaghan	1	0	1	2	4
Offaly	1	1	1	1	4
Roscommon	0	0	1	1	2
Sligo	1	1	1	1	4
Tipperary North	1	1	1	1	4
Tipperary South	1	1	1	1	4
Waterford City	0	1	0	1	2
Waterford County	1	1	0	1	3
Westmeath	1	1	1	1	4
Wexford	0	1	1	1	4
Wicklow	1	1	1	2	5
Total	31	28.4	28.4	45.5	133.3

Job Creation

416. **Deputy Róisín Shortall** asked the Minister for Enterprise, Trade and Innovation the number of jobs created to date from the Innovation Fund Ireland; and the number projected to be created with a breakdown by year. [34825/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): I announced the first call for expressions of interest in Innovation Fund Ireland on 23 September 2010, less than two weeks ago. Enterprise Ireland and the National Pensions Reserve Fund (NPRF) will manage the Fund and investors have until November 26 to signal their interest in establishing a presence here. The Innovation Fund is about investing for the medium to long-term in high potential companies that will help to deliver the jobs and growth as we steer Ireland out of the current economic downturn.

The main objectives of the Fund are to:

- Increase the number and scale of innovation driven and high-growth businesses in Ireland.
- Increase the availability of smart risk capital for early stage and high-growth companies.
- Attract top-tier venture capital fund managers to Ireland.
- Attract, leverage and develop entrepreneurial talent.

Jobs created through the Fund will depend on the investments made and the decisions of independent venture capital fund managers. The nature of such funds and the independence of decision making by the relevant fund managers means it is not possible to provide projections of jobs created at this point in the process. International economic growth and new innovations in the technology, life sciences and clean technology spheres over the coming years are other factors that will impact on the level and type of jobs created.

A dynamic and progressive venture capital market is a prerequisite for the development of high potential start up companies and the future growth of scaling companies in Ireland. This Fund is further evidence of the Government’s longer-term strategy and our continued commitment to generate high quality jobs in Ireland’s ‘smart’ economy.

417. **Deputy Róisín Shortall** asked the Minister for Enterprise, Trade and Innovation the number of jobs created to date from the €360 million invested in research and innovation involving third level institutions; and the number projected to be created with a breakdown by year. [34826/10]

Minister of State at the Department of Enterprise, Trade and Innovation (Deputy Conor Lenihan): On 16th July 2010 the Government announced the awards under Cycle 5 of the Programme for Research in Third-Level Institutions (PRTLTI). The PRTLTI is a multi-annual programme and Cycle 5 will run over a five-year period and into 2016. The awards under PRTLTI Cycle 5 amount to €359 million in total, with a provision of €296 million in Exchequer funding and €63 million in funding from private sources. The 36 projects awarded mainly focus on the provision of physical infrastructure and the establishment of structured PhD programmes. Cycle 5 continues the prioritisation of investment in Ireland’s development as a knowledge-driven economy which is a crucial component of the economic recovery process and to laying the basis for our future prosperity.

Meetings are ongoing with the higher education institutions concerned to discuss their proposed implementation plans. These implementation plans will incorporate detailed milestones in the development of the projects, including timeframes for construction and commencement of the PhD structured education programmes.

[Deputy Conor Lenihan.]

Given the ongoing discussions between the HEA and the higher education institutions it is, therefore, not possible at this point to provide an annualised breakdown of direct jobs created. However construction work under the Cycle 5 investment will provide more than 64,000 square metres of research space in new and refurbished buildings on our higher education campuses and create 2,000 jobs in the sector. The research projects will also create 379 direct jobs and a significant number of research studentships.

Once this infrastructural investment is made, the facilities and research laboratories supported will continue to underpin the production of human capital and work of research teams for decades to come, thus laying the foundations for attraction of FDI to Ireland and supporting indigenous companies with innovative solutions to problems.

418. **Deputy Róisín Shortall** asked the Minister for Enterprise, Trade and Innovation the number of jobs created to date from the employment subsidy scheme; and the number projected to be created with a breakdown by year.. [34827/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): The Employment Subsidy Scheme (Temporary) was introduced to help employees maintain their jobs while at the same time assisting employers in retaining their productive capacity. In order to qualify for support, enterprises had to commit to retaining a multiple of the number of jobs that they receive subsidies for until the end of November 2010. The purpose of the scheme is to protect existing employment. While no new jobs have been created, as a result of the two calls under the scheme a total of 1,697 companies and 103,977 jobs were approved for support.

Employment Rights

419. **Deputy Alan Shatter** asked the Minister for Enterprise, Trade and Innovation the number of applications received by the Employment Appeals Tribunal as at 30 September 2010 awaiting allocation of a hearing date; the number of such cases for which a hearing date has been given; the number of such claims received by the tribunal not yet acknowledged to which no hearing date has yet been given and the date of receipt of claims last acknowledged; the steps, if any, being taken to reduce the delays being experienced by applicants in having their claims heard and determined; and if he will make a statement on the matter. [34833/10]

Minister of State at the Department of Enterprise, Trade and Innovation (Deputy Dara Calleary): The answers to the Deputy’s statistical questions are as follows:

i.	Number of applications received by the Employment Appeals Tribunal as at the 30 September 2010 awaiting allocation of a hearing date;	4,906
ii.	Number of such cases for which a hearing date has been given;	3,148
iii.	Number of such claims received by the Tribunal not yet acknowledged to which no hearing date has yet been given	2,000 approx
iv.	Date of receipt of claims last acknowledged;	8 Sept 2010

The Employment Appeals Tribunal, like the Rights Commissioners Service of the Labour Relations Commission, is one of those public bodies in the front-line of the fallout from the current turbulence in the labour market and economy generally. Claims to the Tribunal have increased from 3,173 in 2007 to 9,458 in 2009. I am informed by the Tribunal that this trend has continued in 2010 with 7,562 new claims lodged between January and the end of September. This level of increase has had an impact on case processing timeframes.

I am informed by the Tribunal that the longest waiting period for a claim at the end of September for a Hearing of the Tribunal ranged between 29 and 74 weeks depending on location. The figures can be somewhat misleading. The Tribunal conducts Hearings in about 36 locations around the country. In some areas, where the number of cases is relatively small, the Tribunal may wait until a sufficient number of cases is on hands to make a visit worthwhile. In such areas, 4 or 5 days of Hearings may reduce the “waiting time” in the area concerned by 30 to 40 weeks. The real concern has to be in those areas where there are very high volumes of cases. I am acutely aware of the pressures on the system and the delays experienced by both claimants and employers. My officials and I are in regular contact with the heads of the employment rights bodies in this regard.

The Tribunal itself has been pro-active in introducing efficiencies. Divisions of the Tribunal are sitting longer, listing more cases per hearing and seeking to manage their affairs to maximise efficiency. These efforts have resulted in a marked increase in output as the chart below shows.

Cases Disposed of	Number
Jan 07 – Sep 07	2,144
Jan 08 – Sep 08	2,915
Jan 09 – Sep 09	3,642
Jan 10 – Sep 10	4,669

Despite this marked increase in throughput, a sizeable backlog has developed due to the continuing high level of claims with a resultant increase in waiting times. Various additional steps are being put in place to deal with this, including a pilot initiative in one region to target the hearing of redundancy claims. That has been in operation for 9 weeks and, to date, has seen waiting periods for redundancy claims decrease from 47.5 weeks to 29 weeks. The possibility of having a similar initiative in Dublin is being actively considered in the light of available resources.

The IT system in the EAT is 20 years old and an examination, earlier in the year, concluded that it needs to be replaced by a system capable of more effectively dealing with the level of claims now being submitted. A Business Process Review is being conducted of all administrative processes within the Tribunal before any new IT system is commissioned. That Review is due to be completed this month, following which I will consider what further action can be taken to improve the level of customer service.

Departmental Agencies

420. **Deputy Phil Hogan** asked the Minister for Enterprise, Trade and Innovation the process for appointing persons to the Employment Appeals Tribunal, who have been appointed to the Employment Appeals Tribunal since the start of 2009; when they were appointed; who appointed them; the remuneration arrangements that exist for appointments to the Employment Appeals Tribunal; and if he will make a statement on the matter. [34922/10]

Minister of State at the Department of Enterprise, Trade and Innovation (Deputy Dara Calleary): The Employment Appeals Tribunal was established under the Redundancy Payment Act 1967. The Tribunal consists of:

1. A Chairman who before appointment shall have at least 7 years' experience as a practising barrister or solicitor;
2. Vice-Chairmen who are either barristers or solicitors with at least 5 years practice;

[Deputy Dara Calleary.]

3. Ordinary Members.

Under the Act, all appointments are made by the Minister for Enterprise Trade and Innovation. The Minister's power to make appointments is delegated to the Minister for Labour Affairs. Appointments of the Chairman and Vice-Chairs are at the sole discretion of the Minister. Under the Act, half of the Ordinary Members are “. . . persons nominated for that purpose by an organisation representative of trade unions of workers” and half are “. . . persons nominated for that purpose by a body or bodies representative of employers”. Members of the Tribunal are paid for their services on a *per diem* basis, the rates for which are set by the Minister for Finance. The current rates are, as follows:

Position	Nature of Fee	Current Rate
		€
Chairperson	Sitting	591.10
	Conference	140.76
Vice Chairperson	Sitting	381.34
	Conference	113.11
Member	Sitting	193.24
	Conference	97.57

Members of the Tribunal are also eligible for reimbursement of travel and subsistence expenses in accordance with the rates which are set by the Minister for Finance.

There were no appointments to the Tribunal in 2009. With the exception of the position of Chairman, the membership of the Tribunal fell to be renewed on 30 January 2010. I appointed those named as follows to be Members from that date.

Appointments in 2010

Vice-Chairmen		
Sinéad Behan	Graham Hanlon	Roderick Maguire
Kieran Buckley	Eamon Harrington	Seán Mahon
Ann Marie Courell	David Herlihy	Jeananne McGovern
Fiona Crawford	Elva Kearney	Sandra McNally
Dorothy Donovan	Margaret Levey	Mark O'Connell
Catherine Egan	James M. Lucey	Moya Quinlan
Veronica Gates	Dermot MacCarthy	Nicholas Russell
Bernadette Glynn	Orna Madden	Jeremiah Sheedy
Pamela Clancy	Dara Hayes	Jeremiah O'Connor
Charles Corcoran	Patrick Hurley	Peter J. O'Leary
Emile Daly	Mary McAveety	Joe Revington
John F. Fahy	Penelope McGrath	Thomas Ryan
James Flanagan	Eamon Murray	Tony Taaffe
Myles Gilvarry	Niamh O'Carroll Kelly	
Clodagh Gleeson	Leachlain S. Ó Catháin	

Employees Panel

Frank Barry	John Flannery	Patrick King
Thomas Brady	Tom J. Gill	Sean Mackell
Eveta Brezina	Helen Henry	Máire Mulcahy
Alexander Butler	Thomas A. Hogan	Helen Murphy
J. Finbarr Dorgan	Suzanne Kelly	Séamus O'Donnell
Patsy Doyle	Tony Kelly	Ciaran Ryan
Mary Finnerty	Frank Keoghan	David Thomas
James Dorney	Joe Maher	Owen Nulty
Noel Dowling	Mary Maher	Michael O'Reilly
John Flavin	Dominic McEvoy	Patrick Trehy
Noirin Greene	Michael McGarry	Gerard Whyte
Jim Jordan	Alice Moore	Owen Wills
Hilary Kelleher	Jim Moore	Paddy Woods
Rosabel Kerrigan	Phil Ní Sheaghda	

Employers Panel

Gerard Andrews	James Hennessy	Tom O'Grady
Pat Casey	Ben Kealy	James O'Neill
John G. Flanagan	Finbar Moloney	Patrick Pierce
Moss Flood	Desmond Morrison	Robert D. E. Prole
Angela Gaule	Michael J. Murphy	John Reid
James Goulding	Michael Noone	Declan F. Winston
Eamon C. Handley	William O'Carroll	Joe Browne
Con Lucey	Tadg O'Sullivan	Michael Carr
Gerry McAuliffe	Dermot Peakín	Frank Cunneen
Cyril McHugh	Peter J. Pierson	Thomas L. Gill
Don Moore	William Power	Don Hegarty
Roger F. Murphy	Máire Sweeney	John Horan
Aidan O'Mara	Liam Tobin	J.J. Killian
Neil Ormond	Jean Winters	

EU Directives

421. **Deputy Jim O'Keeffe** asked the Minister for Enterprise, Trade and Innovation the number of EU directives awaiting transposition into law in his Department; the reasons for the delays; and the reaction of the EU Commission in each case to such delays. [34932/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O'Keeffe): There are currently a total of 13 EU Directives to be transposed by my Department up to 2012. One of these Directives is currently overdue: Directive 2006/123/EC on services in the Internal Market. In relation to Directive 2006/123/EC on services in the internal market, the drafting of the statutory instrument giving effect to this Directive has been completed. The draft Regulations will shortly be submitted to the Government for approval. If approved by the Government they will be signed into law by me. The delay in transposing the Directive was related to the complexity of the subject matter and the extensive consultation process.

[Deputy Batt O’Keeffe.]

Ireland received a Formal Notice from the Commission in January 2010 and a Reasoned Opinion on 24 June 2010 regarding the non-transposition of the Directive. Full details on the current position on all current EU Directives due for transposition are maintained on the Department’s website, www.deti.ie. The transposition of EU Directives is an ongoing priority in my Department and is reported to the Management Board on a regular basis.

Business Regulation

422. **Deputy Lucinda Creighton** asked the Minister for Enterprise, Trade and Innovation his Department’s progress with regard to reaching the target of reducing administrative burdens on business by 25% by 2012; and if he will make a statement on the matter. [35020/10]

423. **Deputy Lucinda Creighton** asked the Minister for Enterprise, Trade and Innovation the progress made on the implementation of the 2007 report of the business regulation forum; and if he will make a statement on the matter. [35021/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): I propose to take Questions Nos. 422 and 423 together.

International benchmarking statistics reveal that Ireland imposes a relatively low burden of regulation on business. The Forfás Annual Competitiveness Report 2010 states that Ireland’s regulatory environment is one of the least restrictive in the OECD in relation to product market regulation, the time taken to comply with tax payments is one of the lowest in the OECD across all categories and Ireland’s employment framework is less rigid than the OECD average. The Business Regulation Forum’s 2007 recommendation is being implemented. The Government’s project to measure and reduce administrative burdens by 25% by 2012 goes beyond that Group’s recommendation in that it extends to all areas of regulation that affect business in Ireland.

The work to reduce red tape in Ireland is being progressed on two fronts. The High Level Group on Business Regulation works to fast-track simplifications to specific red tape issues identified by business. The Group has processed thirty specific red tape issues brought to its attention by business and continues to drive progress on a further thirty-eight items. To date total annual business savings of over €20m have been achieved by the Group.

In addition, an Inter-Departmental Group of officials from all Departments, having regulation affecting business, coordinates the measurement and 25% reduction of administrative burdens in a systematic manner, based on the internationally recognised Standard Cost Model. The measurement of administrative burdens using the Standard Cost Model is an exercise that was called for by business, as a baseline for the 25% administrative burden reduction programme. While the various measurement activities continue, all Departments and Agencies are continuously striving to streamline their operations in such a way as to improve the service they provide.

Industrial Development

424. **Deputy Lucinda Creighton** asked the Minister for Enterprise, Trade and Innovation the measures available to help struggling small businesses in the strategy, Trading and Investing in a Smart Economy; and if he will make a statement on the matter. [35026/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): Trading and Investing in a Smart Economy, a Strategy and Action Plan for Irish Trade, Tourism and Investment to 2015, is an integrated strategy that is global in scope and covers both existing and new

high growth potential markets. It has set a number of ambitious targets to be achieved by 2015 i.e. to create 150,000 new jobs (manufacturing, tourism and traded services) with a similar number of indirect jobs; increase the value of exports by indigenous companies by 33%, increase overseas visitors to 8 million and secure an additional 780 inward investment projects through IDA Ireland.

The overall objective of the strategy and action plan is to marshal and coordinate the resources of the State in a way that best supports Irish firms, of all sizes, who are trying to trade and grow their business overseas. Implementation of the strategy and action plan will result in the sustained, concentrated and coordinated efforts of all of the key Government Departments and agencies, including our embassies and consulates abroad, which will in turn increase the effectiveness and efficiency of our support for Irish companies in overseas markets.

The strategy presents an in-depth analysis of our recent performance across the three sectors and a suite of actions for building on existing strengths and driving trade relations in existing as well as new and emerging economies. These actions are aimed at: strengthening Ireland's international image and brand; strengthening in-country presence and support; developing and internationalising our enterprise base; developing Ireland as a hub for global high-technology enterprises and clusters; aligning visa policy with priorities in the strategy; support for SMEs; continuing to develop international trade agreements; joint actions and partnerships with other countries; effective engagement with the business community.

Specific supports for SMEs in the strategy include the development of toolkits for Irish businesses trying to enter new markets. Many small companies that are trying to gain a foothold in new markets quite simply do not have the resources to identify new markets and become established overseas. In addition, there will be an outreach programme to identify and access the many Irish businesses which do not engage directly with any of the State enterprise agencies, and which could benefit from the initiatives and actions set out in the new strategy. Other direct supports for SME's are provided through my Department's Enterprise Development Agencies and in particular through Enterprise Ireland and the County Enterprise Boards.

Financial Services Regulation

425. **Deputy Lucinda Creighton** asked the Minister for Enterprise, Trade and Innovation if he will report on the outcome of eight regional meetings with business groups over bank credit that were held over the summer; the action he is taking as a result of these meetings; and if he will make a statement on the matter. [35030/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O'Keeffe): The Ministers of State at my Department and I between us participated in eight regional meetings with business groups during July and August to hear at first hand from small businesses their experiences in gaining access to bank credit. These meetings took place in Cork, Athlone, Galway, Waterford, Bundoran, Dublin, Dundalk and Shannon. I am grateful to the businesses and their representative bodies for their full and frank engagement in the process. The information gathered at those meetings allowed me to inform Cabinet colleagues of difficulties being experienced by the participants and to raise matters further with the main banks.

I welcome the recent reported improvement in access to bank credit for small companies in June, July and August. I will remain in regular contact with the main banks in relation to their lending to businesses and will, together with my colleague the Minister for Finance, and John Trethowan of the Credit Review Office, continue to ensure that they meet their lending commitments in terms of providing sufficient credit to the business sector. The Credit Review Office is closely monitoring AIB's and Bank of Ireland's lending policies and their commit-

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ments to making available not less than €3 billion each for new or increased credit facilities to SMEs in both 2010 and 2011, including funds for working capital for businesses.

Departmental Bodies

426. **Deputy Lucinda Creighton** asked the Minister for Enterprise, Trade and Innovation if the 17 members of the research prioritisation steering group will be awarded remuneration for their work; the level of remuneration in each case; the work the steering group will undertake; and if he will make a statement on the matter. [35031/10]

Minister of State at the Department of Enterprise, Trade and Innovation (Deputy Conor Lenihan): We recently announced the establishment of a High Level Steering Group to oversee a project to establish priority areas of focus for Irish Research for the future. The purpose of this exercise is to identify up to twenty priority areas, or approaches to tackling national challenges that we face, and to concentrate future investment in publicly funded STI in those areas. The project will take account of research areas where Ireland has built significant strength to date and particularly areas that have the greatest potential to deliver sustainable economic return through enterprise development, employment creation, or indeed, quality of life.

The Steering Group that we have appointed draws on national and international expertise in the private and public sectors, as well as senior Government officials. The Group will have responsibility for overseeing the implementation of the prioritisation exercise. Forfás, with a resource provided by the Higher Education Authority (HEA), will provide the secretariat to the Steering Group. I would like to express my gratitude and that of the Government to the members of the Steering Group who accepted our invitation to place the Irish economy and society at the heart of the strategic process by giving of their time and expertise to this project. They will not be remunerated for their work but may recoup travel and subsistence expenses incurred in accordance with public service guidelines.

Insurance Industry

427. **Deputy Willie Penrose** asked the Minister for Enterprise, Trade and Innovation the steps he will take to regulate the practice whereby customers of a company or a business are being steered to preferred suppliers, who in fact are competitors of the businesses, which the consumer wishes to engage with; if his attention has been drawn to the fact that this practice is widespread in the insurance industry, whereby they insure a product or service and then decide on a supplier of that service and set a price which they are willing to pay and if he would consider this an appropriate practice; and if he will make a statement on the matter. [35083/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): Regulation of the insurance industry is a matter for my colleague the Minister for Finance, and is an area in which I have no direct role. I understand that the practice to which the deputy refers relates to arrangements involving insurance companies actively recommending certain approved repairers to their policyholders. The arrangement between the insurance companies and the approved repairers appears to be one where the approved repairers are selected on the basis that they meet various qualitative standards with the approved repairer in return being guaranteed a minimum flow of work. Service Level Agreements are generally entered into by both parties. The Competition Authority, which is the independent statutory body responsible for enforcing competition law in the State, has advised my Department that such arrangements do not appear to breach competition law.

Redundancy Payments

428. **Deputy Bernard J. Durkan** asked the Minister for Enterprise, Trade and Innovation when redundancy payment, wages and holiday pay will issue in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [35166/10]

Minister of State at the Department of Enterprise, Trade and Innovation (Deputy Dara Calleary): My Department administers the Social Insurance Fund (SIF) in relation to the Redundancy and Insolvency Payments Schemes on behalf of the Department of Social Protection.

In relation to the claims under the Insolvency Payments Scheme, my Department received applications from the liquidator in respect of arrears of pay, minimum notice and holiday pay for the person concerned in mid-September 2010. The downturn in the economy has resulted in a significant rise in the level of company receiverships and insolvencies. Consequently, an increasing number of claims are being submitted to the Insolvency Payments Section, with 20,411 new claims received in 2009 — an increase of 78% over 2008. Claims are dealt with in order of date of receipt and processed as quickly as possible. We are currently processing applications received in June and my officials are constantly endeavouring to achieve earlier completion and payment dates.

My Department is also in receipt of a statutory redundancy lump sum claim on 2 July, 2010 in respect of the above individual. This claim awaits processing. In respect of lump sum redundancy payments paid directly to employees in instances where employers are unable to pay the statutory redundancy entitlements, the current processing time for these claims is between 6 and 7 months and claims dating from March are currently being processed. Of course in some instances, where the necessary supporting documentation for lump sum claims is not provided to my Department, or where queries arise, processing of claims can be further delayed until the required documentation is provided and/or outstanding queries are resolved.

My Department continues to make every effort to reduce processing times. Measures already taken in the Department to alleviate the pressures on the Payments area include:

- Almost doubling the number of staff working solely on redundancy payment claims through reassignment to a current level of 52 full time equivalents;
- Prioritisation of the Department's overtime budget towards staff in the Section to tackle the backlog outside normal hours;
- Establishment of a special call handling facility in NERA to deal with the huge volume of telephone calls from people and businesses concerned about their payments;
- Better quality information relating to current processing times on the Department's website;
- Engagement with the Revenue Commissioners to facilitate the offset of redundancy rebate payments by employers against existing outstanding tax liabilities which those employers owe to the Revenue Commissioners.

Responsibility for the payment functions arising under the Redundancy and Insolvency payment schemes is due to be transferred to the Department of Social Protection with effect from 1 January 2011. In transferring the functions between Departments, it is the intention that this will operate seamlessly and without any adverse impact on the service levels being experienced by individuals or the business community awaiting payment of redundancy claims.

Departmental Agencies

429. **Deputy Frank Feighan** asked the Minister for Community, Equality and Gaeltacht Affairs when Pobal was first set up; the reason it was established to administer public funds; to provide a breakdown of the budget for Pobal for 2010; and if he will make a statement on the matter. [34477/10]

Minister for Community, Equality and Gaeltacht Affairs (Deputy Pat Carey): Pobal (formerly Area Development Management Ltd.) was established by the Government in 1992, in agreement with the European Commission, to access EU funding for the purpose of fostering local development, promoting social inclusion, reconciliation and equality and countering disadvantage through local and social economic development. While Pobal was initially tasked to distribute EU funding provided for local/regional development, the size, scale and range of programmes delivered has increased significantly since 1992.

Pobal currently manages the administration of schemes/programmes on behalf of 13 Departments and bodies, with some €317m distributed to community-based organisations in 2009. Almost €17m was provided to Pobal for programme administration last year, a decrease of €3.2m on the corresponding figure for 2008. Pobal is remunerated by the relevant Department or body in respect of the cost of the services it provides. Determination of the level of service provided, the associated tasks and costs incurred by Pobal are matters for the individual Department or body concerned. Details of the resources allocated to Pobal for programme administration in 2010 should be sought directly from the Departments or bodies concerned.

At the beginning of 2010, Pobal managed six programmes on behalf of my Department, including the Local and Community Development Programme, Dormant Accounts Fund, Community Services Programme, RAPID, Rural Social Scheme and the Programme of Grants for Locally-based Community and Voluntary Organisations. The total allocation for the six programmes for 2010 is approximately €144m, which includes a provision of some €6m to meet the cost of administering the programmes. As the Deputy will be aware, the Community Services Programme and Rural Social Scheme recently transferred to the Department of Social Protection.

Pobal also manages a number of programmes that transferred from the Department of Justice and Law Reform into my Department when it was re-configured earlier this year. These are in the areas of integration/refugees, Traveller interagency work, equality for women and disability services. Some €870,000 has been earmarked for Pobal to meet the cost of administering these programmes in 2010. Further information on the range of schemes and programmes administered by Pobal is available on the company's website www.pobal.ie.

Community Development

430. **Deputy Frank Feighan** asked the Minister for Community, Equality and Gaeltacht Affairs to provide details on the latest progress regarding the change in structure of the community development programme network, to indicate whether funding allocated to CDPs through the partnership model will be ring-fenced for the community sector; and if he will make a statement on the matter. [34478/10]

Minister for Community, Equality and Gaeltacht Affairs (Deputy Pat Carey): As the Deputy will be aware, the Local Development Social Inclusion and the Community Development Programmes have been superseded by the Local and Community Development Programme (LCDP). A key difference between the new LCDP and its predecessors is the fact that, when fully implemented, it will be delivered nationally on an integrated basis by a reduced number of companies.

A national model involving full integration of CDPs with Local Development Companies has been set out by my Department. However, it was made clear from the start of the process that other options could be considered. Alternative models were, however, required to meet a range of criteria, including a reduction in the number of structures, promoting the potential for integrated delivery of services to the public, supporting efficiencies and reducing company law compliance requirements for CDPs.

I am pleased that I have been able to approve alternative models put forward by the HSE South, by the Limerick City CDPs/Paul Partnership and by the Women's Sector CDPs. While the deadline for receipt of further proposals has now passed, a small number of other alternative models remain under active consideration by my Department. The groups involved will be advised of the outcome shortly. Ongoing funding for the Programme in 2011 and beyond will be considered in the context of the annual Estimates process. Funding will be routed through the Local Development Companies in support of the 4 goals of the LCDP:

- To promote awareness, knowledge and uptake of a wide range of statutory, voluntary and community services;
- To increase access to formal and informal educational, recreational and cultural development activities and resources;
- To increase peoples' work readiness and employment prospects; and
- To promote engagement with policy, practice and decision making processes on matters affecting local communities.

Departmental Expenditure

431. **Deputy Frank Feighan** asked the Minister for Community, Equality and Gaeltacht Affairs if he will provide a detailed breakdown in tabular form of the recommendations outlined by the report of the Special Group on Public Service Numbers and Expenditure Programmes which have been accepted and implemented by his Department; the savings that have accrued as a result of such changes to expenditure; and if he will make a statement on the matter. [34479/10]

Minister for Community, Equality and Gaeltacht Affairs (Deputy Pat Carey): As the Deputy is aware, the Report of the Special Group on Public Service Numbers and Expenditure Programmes presented a set of options to reduce expenditure and staff numbers across the public sector. These options were considered by the Government within the context of framing the 2010 Budget.

Gross savings of some €57 million, or almost 12%, were achieved in the 2010 Revised Estimates Volume (REV) for the Vote of the then Department of Community Rural and Gaeltacht Affairs, relative to the 2009 REV. While the allocations in most expenditure programmes were reduced, the primary concern was to make every effort to ensure that the daily front-line services provided with funding from my Department were protected, especially those focused on the needs of the most socially deprived communities.

With regard to the reduction in staff numbers, the Government's moratorium on staff recruitment and promotion and other associated measures, including the incentivised early retirement scheme, have achieved, and continue to achieve, reductions in staff numbers across my Department and relevant agencies.

Finally, as part of the restructuring of Departments and agencies announced in March last by the Taoiseach to ensure greater coherence and produce more efficient delivery, my Depart-

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ment has taken over responsibility for (i) social inclusion policy and family policy from the Department of Social Protection and (ii) equality, disability, integration and human rights from the Department of Justice and Law Reform. As stated by the Taoiseach in this context, it is important, while addressing the priority issues in responding to unemployment and driving economic recovery, that we do not lose sight of the importance of social development, the targeting of the most vulnerable and support for those working to make a difference right across our communities.

In light of the foregoing, and ongoing consideration of options in the context of the forthcoming Budget, it is not considered that the provision of a tabular statement as requested would be useful at this time.

Community Development

432. **Deputy Brian O'Shea** asked the Minister for Community, Equality and Gaeltacht Affairs if he will arrange for officials of his Department to meet with the board of management of a community development programme (details supplied) in County Waterford; and if he will make a statement on the matter. [34870/10]

Minister for Community, Equality and Gaeltacht Affairs (Deputy Pat Carey): I understand that a meeting between officials of my Department and the Board of Management of the project referred to by the Deputy has been arranged for later this week, on Thursday 7th October.

Departmental Programmes

433. **Deputy Frank Feighan** asked the Minister for Community, Equality and Gaeltacht Affairs if he will provide details of the proposed transfer of rural development funds from the Leader programme to the Department of Enterprise, Trade and Innovation and the Department of Social Protection; the financial or other impact this will have on partnerships and community development programmes; and if he will make a statement on the matter. [34904/10]

435. **Deputy John Deasy** asked the Minister for Community, Equality and Gaeltacht Affairs the details of the funding available under axis three and axis four of the rural development programme that he plans to transfer to other Departments; the Departments to which the funding will be transferred; the amount of funding to be transferred to each of these Departments in each of the years 2010 to 2013; and if he will make a statement on the matter. [34976/10]

436. **Deputy John Deasy** asked the Minister for Community, Equality and Gaeltacht Affairs, further to Parliamentary Questions Nos. 427 and 428 of 26 January 2010, the details of the funding now available under each of these categories under axis three and axis four of the rural development programme following the decision to transfer some of the funding to other Departments; and if he will make a statement on the matter. [34977/10]

Minister for Community, Equality and Gaeltacht Affairs (Deputy Pat Carey): I propose to take Questions Nos. 433, 435 and 436 together.

I wish to inform the Deputies that the information included in the reply to the Questions of 26 January 2010 referred to regarding the funding available under Axes 3 and 4 of the Rural Development Programme 2007-13 (RDP) has not changed. The main objectives of the Programme are to improve the quality of life in rural areas and facilitate the diversification of

the rural economy, and the individual measures under the Programme, including indicative allocations, are as follows):

- Diversification into non-agricultural activities for farm families — €16.66m;
- Support for business creation and development — €48.26m;
- Encouragement of tourism activities — €45.4m;
- Basic services for the economy and rural population — €49.61m;
- Village renewal and development — €54.2m;
- Conservation and upgrading of the rural heritage — €51.7m;
- Training and information on adapted and new skills — €29.45m; and
- Implementing co-operation projects — €10.7m.

I am pleased with the progress to date under the RDP, which continues to facilitate access to significant financial resources for rural communities since it started in 2009. This has resulted in the proliferation of innovative and sustainable development projects all over the country, which are providing invaluable support to rural communities in these difficult times, and there is no question of funds being diverted away from the RDP.

The RDP currently has registered project activity of €71 million, with almost €30 million at an advanced stage of development. Expenditure to date amounts to almost €45 million, which includes funding for a diverse range of projects from support for micro-enterprise in rural areas to the building and maintenance of community infrastructure, and the provision of training in a variety of disciplines for rural dwellers. I am confident that the activity funded under the RDP to date is contributing to the creation of the right conditions for the generation of sustainable, long-term job opportunities in rural areas.

My Department and I will be working closely with Minister Batt O’Keeffe and his Department in the coming months to promote increased co-operation between Local Action Groups and County Enterprise Boards in order to ensure that we maximise the impact of all of the funding available and fully support enterprise and job creation in rural areas. I can assure the Deputies that my Department will continue to work with rural communities through their Local Action Groups to explore all possible funding opportunities under the RDP.

EU Directives

434. **Deputy Jim O’Keeffe** asked the Minister for Community, Equality and Gaeltacht Affairs the number of EU directives awaiting transposition into law in his Department; the reasons for the delays; and the reaction of the EU Commission in each case to such delays. [34929/10]

Minister for Community, Equality and Gaeltacht Affairs (Deputy Pat Carey): There is currently one EU directive awaiting transposition into law in my Department. The directive in question is Council Directive 2010/18/EU implementing the revised Framework Agreement on Parental Leave, concluded by BUSINESSEUROPE, UEAPME, CEEP and ETUC and repealing Directive 96/34/EC. The directive was published on 18th March 2010. Member States are required to bring into force the laws, regulations and administrative provisions necessary to comply with this directive by 8 March 2012. The directive is currently being examined by my officials and I anticipate that it will be transposed by the due date.

Questions Nos. 435 and 436 answered with Question No. 433.

Departmental Programmes

437. **Deputy Tom Hayes** asked the Minister for Community, Equality and Gaeltacht Affairs the position regarding capital funding for an organisation (details supplied) in County Tipperary; and if he will make a statement on the matter. [34990/10]

Minister for Community, Equality and Gaeltacht Affairs (Deputy Pat Carey): I am advised that there is no record of a formal application for funding under the Rural Development Programme 2007-2013 from the organisation referred to by the Deputy. If the organisation wishes to apply for funding, it should contact its Local Action Group. Contact details for all Local Action Groups can be found on my Department's website at www.pobail.ie

EU Directives

438. **Deputy Jim O'Keeffe** asked the Minister for Defence the number of EU directives awaiting transposition into law in his Department; the reasons for the delays; and the reaction of the EU Commission in each case to such delays. [34930/10]

Minister for Defence (Deputy Tony Killeen): EU Directive 2009/81/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of procedures for the award of certain works contracts, supply contracts and service contracts by contracting authorities or entities in the fields of defence and security, and amending Directive 2004/17/EC and 2004/18/EC is required to be transposed by 21 August 2011. It will be transposed by way of secondary legislation.