



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

Thursday, 24 March 2011.

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DÁIL ÉIREANN

Déardaoin, 24 Márta 2011.
Thursday, 24 March 2011.

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

Paidir.

Prayer.

Requests to move Adjournment of Dáil under Standing Order 32

An Ceann Comhairle: Before coming to the Order of Business I propose to deal with a number of notices under Standing Order 32. I will call on the Deputies in the order in which the notices were submitted.

Deputy Finian McGrath: I seek the adjournment of the Dáil under Standing Order 32 to discuss an issue of national importance and concern, namely the urgent need to restore bridge funding to the Jack and Jill Foundation. I call on the Government and the Minister for Health and Children to end these cuts that affect children with serious illnesses, to provide a well thought out plan to support all sick children and all children with a disability and to end cuts to front line services.

Deputy Martin Ferris: Under Standing Order 32, I seek to adjourn the House to discuss the apparent contradiction between the Taoiseach's statement on Tuesday that the Government has no intention of selling Coillte and replies from the Ministers for Agriculture, Fisheries and Food and Finance that no decision has yet been made and that the decision will be informed by the McCarthy report on State assets. I call for a full debate on the recommendations of that report prior to their being acted upon in relation to the sale of Coillte in whole or in part, or any other State assets.

Deputy Aengus Ó Snodaigh: Ba mhaith liom an Dáil a chur ar athló chun deighleáil leis an ghné ri-thábhachtach seo, the urgent need for Government action to support the 2,500 households that had their gas and electricity disconnected in the first two months of the year, the 150,000 ESB customers experiencing debt difficulties and the 11,000 Bord Gáis households currently at risk of disconnection. The State's response to this fuel poverty crisis, including that of the Energy Regulator, must put the needs of households first. A prepaid meter facility should be made available to all those who request it at no additional charge. A wider State response is required. Otherwise, families will go without essential household fuels.

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

Order of Business

The Tánaiste: The Order of Business is No. 5a, statements on the current situation in Libya. It is proposed, notwithstanding anything in Standing Orders, that the proceedings in relation to No. 5a shall, if not previously concluded, be brought to a conclusion at 3.30 p.m. today and the following arrangements shall apply: (i) the statement of a Minister or Minister of State and of the main spokespersons for Fianna Fáil, Sinn Féin and the Technical Group, who shall be called upon in that order, shall not exceed 15 minutes in each case; (ii) the statement of each other Member called upon shall not exceed ten minutes in each case; (iii) Members may share time; (iv) a Minister or Minister of State shall be called upon to make a statement in reply which shall not exceed ten minutes.

An Ceann Comhairle: Is the proposal for dealing with No. 5a, that is the speaking arrangements for statements on the current situation in Libya, agreed to?

Deputy Mary Lou McDonald: It is not agreed to.

An Ceann Comhairle: We are speaking about time and speaking arrangements only. I want to be clear on this, in case anyone misunderstands. The motion before the House relates to speaking times for the issue before us.

Deputy Mary Lou McDonald: I want to raise an issue relating to the Order of Business. The Taoiseach came before the House on Tuesday——

An Ceann Comhairle: The motion before the House relates to speaking times for the debate on the situation in Libya. I will deal with other matters after that. Does the House agree to the speaking arrangements?

Deputy Mary Lou McDonald: This relates to timing. If you do me the courtesy of allowing me to make my point I will establish how that is the case. The Taoiseach briefed the House on the Government's approach to the EU summit, which will commence this evening.

An Ceann Comhairle: We are not dealing with the EU summit.

Deputy Tom Hayes: Sinn Féin does not want us in Europe.

An Ceann Comhairle: I am ruling on this. We are dealing with a purely technical matter. I will deal with other issues when I have dealt with this one. Deputy McDonald, you are not agreeing with the speaking arrangements.

Deputy Mary Lou McDonald: On the question of timing——

An Ceann Comhairle: Deputy, I am on my feet. Please resume your seat. This ruling is important for the proper order of the House. I will allow debate in the ordinary way on the Order of Business. However, we are dealing with a technical matter about speaking arrangements. We either agree to the arrangements as outlined or we do not. If Deputies are not agreeing to them I ask them to say so and we will put them to a vote. Are the speaking arrangements agreed to?

Deputy Aengus Ó Snodaigh: A Cheann Comhairle, may I raise a point of order?

An Ceann Comhairle: I call Deputy Ó Snodaigh on a point of order.

Deputy Aengus Ó Snodaigh: There is a precedent for a Member rising to object to arrangements because he or she wants another debate. That has been allowed in the past. Members have objected to the time allocated for a motion. An objection must be tied to the timing arrangements, which are contained within the motion. That is what is being objected to.

An Ceann Comhairle: The motion before the House deals with the allocation of time for the debate on Libya. I take it the Sinn Féin Deputies do not agree to the arrangements. Deputy Lenihan is indicating, on behalf of the Fianna Fáil Deputies, that they do not agree either. I call Deputy Lenihan.

Deputy Brian Lenihan: No, I indicated that I agree to the Order of Business. I was waiting to raise a point when the timing arrangements had been agreed.

Deputy Joe Higgins: This is not simply a matter of precedent. Standing Order 26(2) (a) states that the Taoiseach, or the Tánaiste, “may propose, on motion made without notice, arrangements for sittings and for the taking of such business until such business has been disposed of; save where any such proposal is opposed, the Ceann Comhairle shall permit a brief statement from a representative from each party in opposition and the Taoiseach before he or she puts the question thereon”.

An Ceann Comhairle: That is correct. That is why I allowed Deputy McDonald to make a point relating to the motion. The motion before the House is a simple one about speaking arrangements. I have ruled on the matter and that is the situation.

Deputy Joe Higgins: I am sorry, a Cheann Comhairle. The last thing I want is to lock horns with you this morning. I was in the Dáil for ten years previously.

An Ceann Comhairle: I have been here also and know exactly what I am talking about. I have been through the same tricks the Deputy is trying to go through.

Deputy Joe Higgins: Standing Orders——

An Ceann Comhairle: If the Deputy will take his seat for a moment, I will explain. What I am trying to do over the next couple of weeks is to bring in amendments to Standing Orders that will allow Deputies, particularly those on the Opposition benches, to raise legitimately issues of concern. However, let us please adhere to the existing Standing Orders until we get a chance to do that. There is no point in my having an argument with Deputy Higgins on a technical issue. The reality is that there is a simple motion before the House in regard to the speaking arrangements — that is it. If the Deputy does not agree with it, he can say why he does not agree with the particular arrangements as outlined by the Tánaiste. After that, we will put it to a vote.

Deputy Joe Higgins: That is precisely the point——

An Ceann Comhairle: The Deputy should stick to the speaking arrangements.

Deputy Caoimhghín Ó Caoláin: On a point of order——

An Ceann Comhairle: Deputy Higgins is on his feet and should continue.

Deputy Joe Higgins: That is precisely why I rose to my feet. I want a variation of the proposed order from the Tánaiste so that he can explain to us in the first instance what happened to his forced march to Frankfurt——

An Ceann Comhairle: I am sorry. The Deputy is trying to make——

Deputy Joe Higgins: A Cheann Comhairle, I want a variation of the order so that——

An Ceann Comhairle: The Deputy wants a variation of the order in regard to the debate on Libya.

Deputy Tom Hayes: The Deputy is misbehaving again.

Deputy Joe Higgins: The debate on Libya is very important. I want the Tánaiste to vary the order——

An Ceann Comhairle: We are dealing the speaking arrangements for the debate on Libya.

Deputy Joe Higgins: ——and the time set aside for it. I want a slight variation from the Tánaiste's position to allow him to explain to us why at the European Council today, what the Taoiseach promised us on Tuesday has changed in regard to——

Deputy Bernard J. Durkan: We are off to Frankfurt again.

An Ceann Comhairle: Will the Deputy please resume his seat? Let us not make fools of ourselves in this matter. There is no point trying to fool me into thinking that the Standing Order allows for that sort of a debate. It does not.

Deputy Joe Higgins: I am sorry to have to disagree with you, a Cheann Comhairle, but——

An Ceann Comhairle: I am sorry you are disagreeing with me but I am making a statement of fact.

Deputy Joe Higgins: The Standing Order permits a brief statement from a representative of each party in Opposition and the Taoiseach before the question is put. Traditionally——

An Ceann Comhairle: It allows a statement as to why the Deputy does not agree with the time allocation for a debate on Libya, not on other issues.

Deputy Joe Higgins: I want the time to be changed slightly so the Tánaiste can explain to us why it is off the agenda today that the Irish Government is seeking lower interest rates and for bondholders to take their pain, which the Taoiseach promised on Tuesday he would do in Brussels today and tomorrow. Is that not in order?

An Ceann Comhairle: No, it is not in order.

Deputy Joe Higgins: Yes, it is in order.

An Ceann Comhairle: It is not. The Deputy should resume his seat. I call Deputy Ó Caoláin, recognising I have already allowed a speaker from Sinn Féin.

Deputy Caoimhghín Ó Caoláin: I appreciate that.

Deputy Mary Lou McDonald: The Ceann Comhairle did not allow me.

An Ceann Comhairle: Deputy McDonald stood on a point of order.

Deputy Caoimhghín Ó Caoláin: On a point of order——

Deputy Tom Hayes: Is Deputy Ó Caoláin applying for the job again? We might have an application form for him.

Deputy Mary Lou McDonald: There is a point of order.

An Ceann Comhairle: Order, please. I appreciate the intention of Deputies to help me on this matter.

Deputy Caoimhghín Ó Caoláin: The Ceann Comhairle appreciates their support. Is that it?

An Ceann Comhairle: I am trying to be fair to everybody in the Chamber.

Deputy Caoimhghín Ó Caoláin: All I acknowledge is that the Ceann Comhairle allowed my colleague to stand but he did not allow her to speak. As I have been here for a few years, I know there is ample precedent to object to the Order of Business because of the exclusion of an item that is of current importance and that Members would wish to see addressed on any given day.

Deputy Joe Higgins: That is correct.

Deputy Caoimhghín Ó Caoláin: That is the precedent which the Ceann Comhairle was party to and a participant in, week on week, and he has done it very well.

Deputy Dara Calleary: That was then.

Deputy Caoimhghín Ó Caoláin: Given the length of time this exchange has taken, Deputy McDonald's point would have long been made. I ask the Ceann Comhairle to allow the Deputy to conclude her point, which is only fair and reasonable and will not in any way——

An Ceann Comhairle: I have listened to Deputy McDonald in other fora and she is well able to look after herself.

Deputy Caoimhghín Ó Caoláin: With respect, the Ceann Comhairle has not listened to her this morning. I ask that the Chair would allow her to finish her point.

An Ceann Comhairle: If Deputy McDonald wishes to make a point in regard to the speaking times for the debate on Libya, and that only, I will certainly allow her to do so. I apologise if I interrupted the Deputy on that point. However, Deputy McDonald should not abuse my generosity in allowing her to speak a second time because that is the issue we are dealing with. When we have dealt with that issue, Members can raise matters that are in accordance with Standing Order 26. I call Deputy McDonald.

Deputy Mary Lou McDonald: I thank the Ceann Comhairle for his outstanding generosity in allowing me to speak. The objection is the basis of the time allocation. Time must be cleared for the Government to give an account to this House of how and why a negotiating position, strategy and approach that was outlined in great detail to this House as recently as Tuesday has now completely changed.

Deputy Lucinda Creighton: No, it has not.

Deputy Mary Lou McDonald: Not alone has the issue of burden sharing been kicked down the road—

An Ceann Comhairle: No, Deputy.

Deputy Mary Lou McDonald: —but the interest rate is now also off the table.

An Ceann Comhairle: The Chair is on his feet. The Deputy is abusing my generosity. Will she resume her seat?

Deputy Mary Lou McDonald: This is a matter of democratic accountability. Will the Government explain to the House how and why that has come to be?

An Ceann Comhairle: Will the Deputy resume her seat?

Deputy Mary Lou McDonald: We require the time and the space to debate that. I will now resume my seat.

An Ceann Comhairle: I am putting the question.

Deputy Joe Higgins: On a point of order, I ask the Tánaiste to reply as is allowed for under Standing Orders.

An Ceann Comhairle: I must put the question.

Question proposed, “That the proposal for dealing with No. 5a be agreed to.”

Question put:

The Dáil divided: Tá, 93; Níl, 25.

Tá

Bannon, James.
Barry, Tom.
Breen, Pat.
Broughan, Thomas P.
Bruton, Richard.
Burton, Joan.
Butler, Ray.
Buttimer, Jerry.
Byrne, Catherine.
Byrne, Eric.
Cannon, Ciarán.
Carey, Joe.
Collins, Áine.
Conaghan, Michael.
Conlan, Seán.
Conway, Ciara.
Coonan, Noel.
Corcoran Kennedy, Marcella.
Costello, Joe.
Creed, Michael.
Creighton, Lucinda.
Daly, Jim.
Deasy, John.
Deering, Pat.
Donnelly, Stephen.
Donohoe, Paschal.
Doyle, Andrew.
Durkan, Bernard J..

English, Damien.
Farrell, Alan.
Feighan, Frank.
Ferris, Anne.
Fitzgerald, Frances.
Fitzpatrick, Peter.
Flanagan, Charles.
Flanagan, Terence.
Gilmore, Eamon.
Grealish, Noel.
Griffin, Brendan.
Harrington, Noel.
Harris, Simon.
Hayes, Brian.
Hayes, Tom.
Heydon, Martin.
Howlin, Brendan.
Humphreys, Heather.
Humphreys, Kevin.
Keating, Derek.
Keaveney, Colm.
Kehoe, Paul.
Kelly, Alan.
Kenny, Seán.
Kyne, Seán.
Lawlor, Anthony.
Lynch, Ciarán.
Lynch, Kathleen.

Tá—*continued*

Lyons, John.
 Maloney, Eamonn.
 Mathews, Peter.
 McCarthy, Michael.
 McFadden, Nicky.
 McGinley, Dinny.
 McHugh, Joe.
 McLoughlin, Tony.
 McNamara, Michael.
 Mitchell, Olivia.
 Mitchell O'Connor, Mary.
 Mulherin, Michelle.
 Murphy, Dara.
 Nash, Gerald.
 Naughten, Denis.
 Neville, Dan.
 Nolan, Derek.
 O'Donnell, Kieran.
 O'Donovan, Patrick.

O'Dowd, Fergus.
 O'Sullivan, Jan.
 Penrose, Willie.
 Phelan, Ann.
 Phelan, John Paul.
 Quinn, Ruairí.
 Ring, Michael.
 Ryan, Brendan.
 Shortall, Róisín.
 Spring, Arthur.
 Stagg, Emmet.
 Stanton, David.
 Timmins, Billy.
 Tuffy, Joanna.
 Twomey, Liam.
 Varadkar, Leo.
 Walsh, Brian.
 White, Alex.

Níl

Adams, Gerry.
 Boyd Barrett, Richard.
 Collins, Joan.
 Colreavy, Michael.
 Crowe, Seán.
 Daly, Clare.
 Doherty, Pearse.
 Ellis, Dessie.
 Ferris, Martin.
 Halligan, John.
 Healy, Seamus.
 Higgins, Joe.
 McDonald, Mary Lou.

McGrath, Finian.
 McLellan, Sandra.
 Murphy, Catherine.
 Ó Caoláin, Caoimhghín.
 Ó Snodaigh, Aengus.
 O'Brien, Jonathan.
 O'Sullivan, Maureen.
 Pringle, Thomas.
 Ross, Shane.
 Stanley, Brian.
 Tóibín, Peadar.
 Wallace, Mick.

Tellers: Tá, Deputies Emmet Stagg and Paul Kehoe; Níl, Deputies Aengus Ó Snodaigh and Catherine Murphy.

Question declared carried.

An Ceann Comhairle: Before moving on with the Order of Business, I will put on the record what is authorised under Standing Order 26(3). It is:

questions from any member about business on the Order Paper; about the taking of business which has been promised, including legislation promised either within or outside the Dáil; about the making of secondary legislation; about arrangements for sittings; and as to when Bills or other documents on the Order Paper needed in the House will be circulated.

Those are the conditions under which matters can be raised under the Order of Business in accordance with Standing Orders.

Deputy Brian Lenihan: The Governor of the Central Bank has indicated that the stress tests on the banking system will be announced by this day week. On all previous occasions when such stress tests were made, the Minister for Finance made a statement in the House responding to the results of the stress tests conducted by the Central Bank, indicating how the capital shortfalls, burden sharing or other arrangements to be put in place to ensure a shortfall were made up. I ask the Tánaiste if time will be set aside and on what date next week for that purpose.

[Deputy Brian Lenihan.]

Newspaper reports this morning suggest that the chief executives of various banks are already being briefed about the results of these stress tests. It is important for the Government to be accountable to this House with regard to stress tests and specifically relating to the amounts of capital required and if an extension of burden sharing beyond the subordinated bonds already subject to burden sharing can be agreed, or as part of our negotiating position with the European authorities. As the Government is no doubt aware, its predecessor raised this question with regard to unguaranteed senior debt at the time of the EU and IMF discussions. The European Central Bank at that stage set its face against any such burden sharing for unguaranteed senior debt.

11 o'clock

It is very important for the reputation of the country abroad——

Deputy Lucinda Creighton: What is left of it.

Deputy Brian Lenihan: ——that a statement is made in this House outlining the Government's precise position on the issue. Nothing would damage our international reputation more than uncertainty on an issue of that character.

Deputy Lucinda Creighton: That is rich.

The Tánaiste: The results of the stress tests are expected next week and the Minister for Finance will make a statement following the announcement of the stress tests. The timing of that statement will depend on when the stress tests are announced and made available. It is the intention of the Minister for Finance to make a statement in response.

Deputy Brian Lenihan: Will that be a statement to the House?

The Tánaiste: Yes, I hope the statement will be made to the House. That will depend on when the results of the stress tests will be announced.

Deputy Billy Kelleher: Has Moriarty increased the stress levels on that side of the House?

Deputy Emmet Stagg: The Deputy would know much about it.

Deputy Jerry Buttimer: People in glasshouses.

An Ceann Comhairle: Deputies should afford some respect for the next speaker, Deputy McDonald.

Deputy Mary Lou McDonald: As we will not today have an account from the Government, an explanation of the U-turn or how it is that the much trumpeted strategy around getting a deal on the interest rate for the bailout is now off the table——

Deputy Lucinda Creighton: It is not off the table.

Deputy Emmet Stagg: Who told the Deputy that?

Deputy Mary Lou McDonald: I ask the Tánaiste why there is no time set aside next week for the Taoiseach to return to the House and give an account of the summit and its outcomes.

Deputy Brian Hayes: That will happen next week.

Deputy Mary Lou McDonald: Colleagues have asked the question about the U-turn and where I learned of it. It is amply articulated today in various media outlets, which is not the

place any Deputy elected to the House should learn of such a change in the Government's position. This is especially true today, when bond yields have risen over 10% and the position of the State is so precarious and fragile. The Government's negotiating strategy, which was watery weak to begin with, has now plunged into utter incoherence. The Government has resisted providing such time today and I ask that next week, at least, the Taoiseach presents himself before the House to give an account of the outcomes of the summit and attempts to give us some sense of the strategy, such as it is, which the Government is pursuing on this critical matter.

The Tánaiste: First, I reassure Deputy McDonald that there is no U-turn. The Taoiseach is attending the European Council meeting today. There are serious issues being faced by the country and we find ourselves in difficult economic circumstances; this is allied to the challenging work that must be undertaken to get the country out of its economic difficulties and serious discussions which must take place with European partners and institutions. I am sure every Member in the House would support the Taoiseach in the work he is undertaking today and tomorrow on behalf of this country.

Deputy Peter Mathews: Hear, hear.

The Tánaiste: I assure Deputy McDonald and every other Member in the House that the Taoiseach's work today is to do the very best for this country and he has the full support of the Government in doing that. I am sure he will have the full support of every Member in the House in doing it.

Deputy Peter Mathews: Hear, hear.

The Tánaiste: Members are aware that we had on Tuesday an opportunity to have a discussion prior to the Council meeting, which is a relatively new arrangement. There will be an opportunity for the Taoiseach to report back to the House after the Council meeting and the arrangements for that can be discussed between the Whips. As far as this country's strategy and approach are concerned, what the Taoiseach is doing today is representing Ireland and doing the very best for this country. There is no U-turn of any kind.

Deputy Mary Lou McDonald: I am relieved to hear there is no U-turn.

Deputy Emmet Stagg: The Deputy should not believe everything she reads in newspapers.

Deputy Mary Lou McDonald: I expect that when the Taoiseach reports to this House next week, he will tell us that the matter of the interest rate was on the table and that we have a result. I also expect the issue of burden sharing is being addressed in a concrete way and that he did not do perform a U-turn on corporation tax. The Tánaiste has said this is a matter for the Whips but I would like a more concrete assurance.

An Ceann Comhairle: It is matter for the Whips.

Deputy Mary Lou McDonald: There should be a concrete commitment that the Taoiseach will at the earliest opportunity be in this House to give such a report to Deputies.

Deputy Joe Higgins: I have two brief issues. The reality is that the Taoiseach and the Government are in full flight before the wrath of Chancellor Merkel. The Taoiseach, Deputy Kenny, has been warned not to raise the issue this weekend because of the difficulties of the European People's Party in various member states. Frankly, it is a pathetic capitulation in front of the European establishment.

Deputy Peter Mathews: That is nonsense.

Deputy Joe Higgins: With regard to arrangements for sittings, the staff looking after security and other important issues in Leinster House are having a unilateral change of conditions forced on them from Monday which will impact severely on what is not a very high wage. As a Member of this Dáil I am very uncomfortable with that so will the Tánaiste intervene to ensure this does not happen and that negotiations will take place in the normal way to get fair play for those who look after the staff and Members in the Oireachtas?

Deputy Mary Lou McDonald: Hear, hear.

The Tánaiste: It has been the practice that following European Council meetings the Taoiseach will report to the House on the meeting. That practice will continue and we will make arrangements for that. Not unpredictably, Deputy Higgins is already declaring a sell-out, capitulation or various other denunciations before there is any outcome. He is being tediously predictable in that.

Deputy Barry Cowen: Banjaxed.

The Tánaiste: With regard to the other issue raised by Deputy Higgins, since he was last a Member, an Oireachtas Commission has been established which deals with issues relating to staffing in the Houses and so on. The issues he raises are matters for the commission.

Deputy Pearse Doherty: We learned from the programme for Government that the Government proposes to introduce a mini-budget in June. Yesterday, under questioning from my party, the Minister for Finance indicated he will introduce counterbalancing, revenue raising measures which will have to generate additional revenue of €1.5 billion by 2013. While the mini-budget has been dressed up as a jobs fund, it will include austerity measures to the tune of €1.5 billion. When will a finance Bill giving effect to these measures be published?

An independent report was done on the recommendations made by the Department of Finance to the previous Government. Will opinions given by the Department be made public, as recommended by the report? If the Department's views and analyses had been made public during previous Administrations, we may not be in the mess we are in today. Will the Department's views on the measures in the forthcoming mini-budget aimed at raising revenue of €1.5 billion by 2013 be made available to Opposition parties?

The Tánaiste: I presume Deputy Doherty is referring to the Government's commitment to introduce a jobs budget. The Government has given a commitment to introduce, in the early part of its life, a budget to provide measures that will generate and support employment creation. As Deputies will agree, the most important step needed to get the country back on its feet and the economy moving again is to get people back to work. The purpose of the jobs budget is to introduce measures which will enable jobs to be created and get some movement in our economy.

Various Departments with line responsibility for employment creation and support are working on and making inputs into this process. Once the process is completed, the jobs budget will be introduced in the House and the finance Bill which arises from it obviously will be published thereafter. In the meantime, the Government would be glad to receive proposals or suggestions from individual Members or political parties. Any such proposals would be examined by the Department of Finance.

Deputy Pearse Doherty: The Minister for Finance announced yesterday that counterbalancing measures are being examined by the Department of Finance. I asked whether the Depart-

ment's opinions will be made available to other parties, as the independent report recommended. The Tánaiste did not answer the question.

An Ceann Comhairle: I ask Deputy Doherty to recognise that Members speak when called upon and must indicate to the Chair when they wish to speak. His colleague, Deputy Ó Caoláin, is the next speaker.

Deputy Caoimhghín Ó Caoláin: I am sure the Tánaiste will have noted the great concern caused by the second reported outbreak of the superbug, KPC, at Limerick Regional Hospital in the past two weeks. Many items of promised legislation date back to the previous Dáil or indeed a number of Dáil terms. In terms of prioritising health legislation, does the Government intend to fast-track the eligibility for health and personal social services Bill and the licensing of health facilities Bill? Both Bills have been promised for a long period. The Government parties were, like Sinn Féin, Opposition voices for a long period and will be aware that the former Government was extremely dilatory in bringing forward these essential Bills. Will the new Government be different in this respect? In the context of the concerns I have outlined, will it endeavour to ensure that the Department of Health brings forward these essential Bills with the speed they deserve?

The Tánaiste: The new Government is already different in that respect. It is a new departure for the Dáil to be back in session immediately following the formation of the Government. Previously, when new Governments were formed, there was generally a period of recess to allow them to prepare their legislative programmes and so forth. As the Deputy will be aware, some recesses lasted for a number of months. The Dáil is back in session immediately following the formation of this Government.

The Government has also restored to the Order Paper a list of Bills that can proceed straight-away. Individual Ministers have been asked to bring forward their legislative priorities in the coming weeks and I expect the Minister for Health will do so in the context of the legislation to which the Deputy Ó Caoláin referred. I will ask the Minister to respond directly to the Deputy on the issues he raises.

Deputy Caoimhghín Ó Caoláin: I thank the Tánaiste for his response which we can evaluate only in the context of delivery. The House may be in session but the substance, which must be the legislative programme, is lacking. I encourage the Government to expedite the publication of the programme of legislation it intends to progress for all Departments, not only the Department of Health, in the coming term.

The Tánaiste: As the Taoiseach indicated yesterday and, I believe, the previous day when these questions were raised, it is intended to publish a full legislative programme in the next number of weeks.

Deputy Sean Fleming: Two years ago today, the Fine Gael Party placed a motion on the Order Paper signed by the current Taoiseach, Deputy Enda Kenny, and many members of the new Government. The motion called on the then Government to reduce the numbers of Ministers of State to 12. The Tánaiste's party supported the motion when the House divided on it. When will legislation be introduced to give effect to the motion for which both Government parties voted? If the introduction of such legislation is not planned, does the Tánaiste accept that Fine Gael and the Labour Party took a dishonest approach in undermining public confidence in the political system by voting for one thing in Opposition while doing the opposite in government?

Deputy Lucinda Creighton: The Fianna Fáil Party did a good job in that respect.

Deputy Brian Hayes: It gave us a master class in undermining public confidence.

An Ceann Comhairle: Is legislation promised?

The Tánaiste: There is no legislation promised on the matter. The Government has announced the Ministers of State it has appointed to implement a very ambitious programme for Government. The number of Ministers of State is considerably less than the number appointed by previous Governments on their formation.

Situation in Libya: Statements

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): I welcome the opportunity to discuss the very serious situation in Libya. A concerted international effort is under way to ensure all necessary protection is extended to the Libyan people from the onslaughts of the Gadaffi government and to support those seeking greater democracy and freedom in that country. In the past three months, we have witnessed an unparalleled series of genuinely popular uprisings which are sweeping through many north African and Middle Eastern countries. We have been inspired by the sight of the young protestors in Tahrir Square in Cairo who, with courage and dignity, withstood violence and intense provocation from security forces loyal to former President Mubarak to insist on their right to assemble and protest peacefully for political and economic reforms in their country. We have similarly applauded the Tunisian people for their success in ridding themselves of the corrupt and repressive regime of their former President, Ben Ali.

These developments and the uprisings which have followed in other countries throughout the region such as Yemen, Bahrain and now Libya are historic in nature. They rightly bear comparison in many respects to the collapse of the former communist regimes in eastern Europe in the late 1980s. The general movement of protest against authoritarian and repressive regimes has been described as the “Arab Spring”. It behoves all of us who uphold democratic values to be supportive of those throughout the Middle East and North Africa seeking greater freedoms. In that regard, President Obama eloquently spoke for many in the international community in the comments he made following the downfall of President Mubarak. He identified the basic yearning for freedom which has motivated these movements and emphasised the need to side clearly with those who are seeking, as he put it “to bend the arc of history once more towards justice”.

The tragic events now unfolding in Libya need to be seen and understood against the backdrop of the Arab Spring. Like Tunisia and Egypt, Libya is experiencing a genuinely popular uprising against the deeply repressive and now violent rule of the Gadaffi regime. Just as in those other countries, the origins of the immediate crisis in Libya can be traced back over many years of violence, repression, injustice and misrule on the part of the regime. We need to go back specifically to the horrific massacre of more than 1,200 prisoners at the Abu Salim prison in Tripoli in 1996, an episode which for many years afterwards the Libyan regime sought to cover up and for which it refused to accept any responsibility.

Just as the name of Mohamed Bouazizi, the young Tunisian street trader who set himself on fire last December following severe harassment by the local police, will be forever associated with provoking the series of events that led eventually to the removal of President Ben Ali, so, too, is the name of Fathi Terbil, a young Benghazi lawyer, likely to be associated with the events now in train in Libya. It was Fathi’s arrest on 15 February which provoked the popular uprising in Benghazi, after he had bravely represented for two years the families campaigning for justice for their relatives murdered in Abu Salim prison. The violent reaction by the Gadaffi regime to the peaceful uprising which took place in Benghazi following Fathi’s arrest has now

plunged Libya into the profound conflict we are witnessing. It has confronted the international community with the challenge of how to respond when the rulers of a country turn upon their people and flagrantly violate international obligations to provide security and protection for those over whom they have responsibility.

The response to date of the international community to the Libyan crisis has been swift, vigorous and clear. In particular, the United Nations Security Council reacted with unprecedented speed in unanimously adopting on 26 February resolution 1970 which implemented an immediate arms embargo, asset freeze and travel ban against Gadaffi and members of his family and regime. The historic significance of this decision, with its clear evoking of the principle of responsibility to protect, is one which needs to be fully appreciated and welcomed by all those concerned to promote and safeguard the central role of the United Nations in international affairs.

An equally important provision of resolution 1970 was the referral by the Security Council of the situation in Libya to the Prosecutor of the International Criminal Court to initiate an investigation in light of the clear evidence of the widespread and systematic attacks launched by the regime against the Libyan population. This, too, is an important development, one designed to ensure that Gadaffi and all of his associates suspected of ordering attacks on innocent civilians are properly held accountable for their actions. I urge the fullest co-operation and support from the international community for the ICC investigation. The UN General Assembly also moved rapidly at the time the initial crisis in Libya unfolded in late February to suspend Libya from its membership of the UN Human Rights Council. This was a move which Ireland fully supported and welcomed in a national statement delivered to the Human Rights Council in Geneva on 25 February.

Since the onset of the crisis and the clear call contained in resolution 1970 for the violence on all sides to end and for the Libyan authorities to respond to the legitimate demands of its citizens, the response of Colonel Gadaffi and his regime has been characteristically violent and contemptuous of the international community. He has turned the considerable firepower of his armed forces on his people and has engaged in heavy bombardments of civilian populations in towns such as Zawiya, Misratah and Adjabiya. He has refused to facilitate access for humanitarian agencies and actors in western Libya. He has also curtailed media access, arrested journalists and attempted to prevent the true picture of what is taking place in Libya from emerging.

Officials from my Department have met with concerned members of the Libyan-Irish community in Ireland and have heard harrowing accounts of the violence inflicted by Gadaffi's forces since the current crisis erupted. In particular, there appears little doubt that widespread killing, amounting to a massacre, took place when pro-Gadaffi forces captured the town of Zawiya some weeks ago. In the past day or two, there have been reports of young children blown up in a car as a result of the regime's bombardment of the town of Misratah. I take this opportunity to publicly acknowledge the bravery and humanity of those Libyan-Irish medical professionals who either chose to return to Libya or to stay there while visiting in order to work in hospitals and tend to those wounded and killed.

The complete disregard of the Gadaffi regime for the views of the international community and its failure to comply with the clear obligations imposed in resolution 1970 led inevitably to pressure for more decisive and effective action against the regime. A particularly significant development was the clear call by the Arab League, meeting in Cairo on 12 March, for a no-fly zone to be established by the UN Security Council and for safe havens to be created within Libya. The Arab League was not alone in making this call, with such a move also supported by the Gulf Co-operation Council and the Secretary General of the Organisation of Islamic

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Conferences. There can be no doubt therefore about the strong regional support which exists for concerted international action to halt the violence and to protect the civilian population in Libya. This clear regional support, coupled with the threat posed by pro-Gadaffi forces moving steadily towards Benghazi, led to the adoption last Thursday of resolution 1973 by the UN Security Council. resolution 1973 demands an immediate and complete ceasefire and authorises all necessary measures to protect civilians and civilian-populated areas, including the establishment of a no-fly zone. It also further strengthens the arms embargo, asset freeze and travel ban provided for under resolution 1970. In calling for an immediate ceasefire and a complete end to violence and all attacks against civilians, resolution 1973 stresses the need for efforts to be intensified so as to find a solution to the crisis which responds to the legitimate demands of the Libyan people.

I outlined last Tuesday in the Dáil my position on resolution 1973 and its implementation. Ireland welcomes the adoption of this resolution which is clearly intended to halt the violence being waged by the Gadaffi regime against the Libyan people and to ensure civilian protection. I have also urged that any military actions taken in pursuit of resolution 1973 should be in full conformity with its terms and be proportionate, targeted and avoid civilian casualties.

The people of Libya deserve an agreed and democratic future. However, the regime of Colonel Gadaffi has neither the agreement nor the democratic endorsement of the Libyan people. Colonel Gadaffi should order an immediate and genuine cessation of his military offensive. He and his family should surrender power and allow the Libyan people to determine their own shared future peacefully.

It is important to note that resolution 1973 has already been effective in achieving a number of its key humanitarian objectives. Gadaffi's air defence systems within Libya have been largely neutralised, thus allowing the effective creation of a no-fly zone over the country and the immediate threat posed to Benghazi and its population has been averted. The goal of any further actions taken in implementation of resolution 1973 must be to maintain this no-fly zone and to prevent further attacks by Gadaffi's forces upon civilian populations and targets.

I refer to those bravely opposing the Gadaffi regime. We are keen to see an orderly transition to democracy and the rule of law in Libya. Earlier this week, I stated in the Dáil that I welcome the emergence of the Transitional National Council, TNC, based in Benghazi as an important political interlocutor and representative of the Libyan people. I encourage all others within Libya who are committed to helping to transform it into a constitutional state based on the rule of law. France has taken the step of recognising the TNC as the legitimate Government of Libya. Ireland's long-standing position has been to recognise States not Governments. Nonetheless, political contacts with the TNC and other actors supporting the process of democratic change in Libya are important. These should be clearly distinguished from any formal recognition. I would be pleased to meet with any envoys of the TNC should they visit Ireland.

The situation in Libya and the international actions taken in pursuit of the UN-mandated operation will be a major topic for discussion at today's meeting of the European Council in Brussels. The EU's role and response in respect of the Libya crisis has been firm and decisive. Ireland fully supported the declaration issued by the extraordinary European Council convened by President Van Rompuy on 11 March that called on Gadaffi to relinquish power and to stand aside to enable an orderly transition to democracy in Libya, in conformity with the legitimate demands of the Libyan people. The 11 March declaration paved the way for adoption of UN resolution No. 1973, in making clear EU member states' willingness to consider all necessary measures to protect the civilian population, provided there was a demonstrable need, a clear legal basis and support from the region.

The situation in Libya was also extensively discussed at the General Affairs and External Relations Council in Brussels earlier this week, which the Minister of State at the Department of Foreign Affairs, Deputy Creighton, attended. The Council agreed conclusions which condemn the continued violence and ongoing violations of human rights by the Libyan regime against its own people. Ireland strongly supports the Council conclusions, which also express satisfaction at the adoption of resolution No. 1973 and make clear that the EU will support actions provided for by resolution No. 1973 necessary to protect civilians and civilian populated areas under attack.

The Council adopted further sanctions against the Libyan leadership and a further round of EU sanctions is expected to be agreed by the European Council today. The full range of sanctions imposed in resolutions Nos. 1970 and 1973 have been, or are now in the process of being, implemented at EU and national level, along with additional restrictive measures aimed at cutting off the flow of funds and misappropriated proceeds to the Gadaffi regime, including any misappropriation of oil and gas revenues.

Two other important dimensions to the EU's role arise. EU contacts have been especially important in maintaining strong regional support from the Arab world, as well as from the African Union, for the concerted international response to the Libya crisis. In this regard, I acknowledge the role played by Prime Minister Cameron and President Sarkozy in convening last Saturday's important summit meeting in Paris to consider the practical implementation of resolution No. 1973. It is clear that the closest co-operation with the region and with African leaders must be pursued with great urgency in the period ahead.

The EU's response to the humanitarian crisis arising from the conflict in Libya has also been important, with upwards of €30 million in humanitarian assistance being made available. Ireland has also provided substantial assistance. A further contribution of €250,000 announced today brings total Irish Aid contributions to date to €650,000. This includes €250,000 in funding to help the International Organization for Migration transport migrants leaving Libya back to their own home countries as well as stocks of blankets and tents from Irish Aid's pre-positioned stocks in Brindisi in response to a specific appeal from the United Nations High Commissioner for Refugees. The humanitarian situation remains difficult. The principal problem continues to be access for humanitarian agencies in western Libya. Without such access, it is difficult to form any reasonable estimate of the true extent of humanitarian needs in western Libya, though these are likely to be considerable. The EU has made clear that it is willing to make use of all available instruments, including support under the common security and defence policy, CSDP, to assist the ongoing humanitarian operations and in response to a specific request from the UN.

The crisis which the international community has had to confront in Libya during recent weeks is both a profound and complex one, without any easy answers. However, I believe that the response to date, crystallised in the two Security Council resolutions adopted on 26 February and 17 March, has been swift, generous and effective. It is a response motivated overwhelmingly by humanitarian considerations and aimed at bringing the violence to an end and ensuring that the brave people of Libya are not left defenceless in the face of the aggressive and reprehensible attacks of their own Government.

It is not accurate to characterise the international response to this crisis to date as amounting to an attempt to achieve regime change. The international community seeks an immediate ceasefire, an end to all violence and attacks against the civilian population of Libya and a political solution to the crisis which responds to the legitimate demands of the Libyan people.

It is clear there will be no place for Colonel Gadaffi in the political leadership of Libya. The people of Libya must be given an opportunity to fashion a freer, more democratic and prosper-

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ous future for their country. Colonel Gadaffi and his family must be made to realise this, to accept that the game is up and to leave the political stage. No one is under any illusion that this will be an easy political objective to achieve. However, it is one which the European Union and the international community are determined to help to bring about. It is the least we should continue to strive for given all that the Libyan people have endured in the past 42 years.

Deputy Michael P. Kitt: I thank the Tánaiste for his address and I fully support his comments in the Dáil today. Only yesterday, we discussed the humanitarian situation in Japan and today we are discussing another crisis and an equally disturbing ongoing situation in Libya. Seismic shifts in the world's political landscape are taking shape on a daily basis. Last month, Libya felt the ripples from the popular revolts that had taken place in the neighbouring countries of Egypt and Tunisia. Once the protestors took to the streets, the Gadaffi regime wasted no time in using violence to keep control and the protests became an uprising. However, the situation has escalated considerably since then. Key figures and senior officials have deserted the regime.

Libya has been tightly controlled by its leader, Colonel Gadaffi, for almost 40 years. During this time he has been denounced repeatedly by the West for oppressing internal dissidents and for carrying out what can only be described as State-sponsored terrorism. All the while, Gadaffi has amassed a multi-billion fortune for himself and his cronies. Gadaffi has used deplorable tactics on the civilian population to uphold his dictatorship. He is utterly ruthless and, to use own words, he has promised to die a martyr, if necessary, in his fight against the rebels and external forces. During his reign, Gadaffi has established revolutionary committees, resembling similar systems in communist countries. It is reported that between 10% and 20% of Libyans worked in surveillance for these committees, similar to what went on under Saddam Hussein in Iraq or Kim Jong-il in North Korea. The surveillance took place throughout all sectors of society, in government, factories and the education sector. Those found having political conversations with foreigners are imprisoned. The teaching of foreign languages in schools was banned in an attempt to stop the people engaging with the Western world. I note last night's news reports of a woman who tried to contact her family and friends in Ireland. She is a Dublin woman whose husband is a Libyan-born doctor. She made the point that the safest place for her and her husband was in the hospital where he worked.

The people of this country are aware of the effects of Libyan arms being used against innocent civilians during the Troubles in the North. Now may be a good time to bring forward the truth about the extent of Libyan involvement in providing arms during that period. The intelligence community should consider whether intelligence reports could be published, as any record that could provide information would be most helpful.

According to the freedom of the press index, Libya is the most censored country in the Middle East. This makes it even more remarkable that the Libyan people followed their neighbours in calling for a regime change. It shows us the incredible power of social media and the Internet. It is amazing that protestors have used tools such as Facebook and Twitter to communicate and mobilise, as is the effectiveness of those tools. It would appear that, no matter how oppressive a government, it is almost impossible to keep the world out.

Benghazi, the country's second city, is now established as the rebels' stronghold and reports suggest that Colonel Gadaffi has no more than 10,000 troops available to him. The air strikes will make it more difficult for him to reassert his authority. The international community watched in horror and fascination as events unfolded in the Middle East. Following the outcry from the international community, the members of the UN Security Council voted to adopt Resolution 1973, which permits the use of all necessary measures, including the imposition of

a no-fly zone to prevent further attacks and the loss of innocent lives in Libya where Colonel Gaddafi's regime has conducted a military offensive against citizens seeking his removal from power. This raises the question of why the West has stepped in to stop the loss of life and protect the civilian population of Libya but has failed to do so in other countries where there have been humanitarian atrocities. As American Secretary of State Ms Hilary Clinton stated last week, the diplomatic landscape changed because the Arab League supported the introduction of a no-fly zone, facilitating Western intervention. Furthermore, Libya's neighbours in Tunisia and Egypt are not great supporters of the regime and are concerned about the impact of political instability in the regime should the situation rumble on.

Fianna Fáil supports the UN Security Council resolution and the Government in this matter. We support military operations taken under and in strict accordance with the resolution. It is about protecting civilians whose lives are at risk under the Gaddafi regime. It is about helping the innocent victims of genocide. The UN resolution is about the cessation of the violence, not about aggression. In short, it is not about wiping out Gaddafi.

The Libyan intervention force under the UN is being managed by the Americans. As mentioned by the Tánaiste, President Obama stated that he would like to relinquish control in a matter of days and not in a matter of weeks. According to press reports, some of the allies are keen to ensure the mission is NATO-controlled, but this is being resisted by the French who believe it would not be acceptable to the Arab League. Clearly, events are moving rapidly and developments are unfolding on a daily basis.

It is vital that the EU provides support to the people of Libya during this crisis. We must do our best to support emerging democracies in the Middle East. I hope the work of the Tánaiste and the Government will be successful.

Deputy Jonathan O'Brien: May I share time with Deputy Ó Snodaigh?

An Ceann Comhairle: The Deputies have 15 minutes between them.

Deputy Jonathan O'Brien: Since the beginning of the current conflict in Libya, there has been a growing concern within the international community that deliberate targeting of civilians has been prevalent. The UN Security Council has used this growing concern to set in motion a no-fly zone under the recently passed Resolution 1973. This urgency is in stark contrast with the situation in Bahrain and Yemen. Why is this? Is it because Colonel Gaddafi is viewed by the Western powers of Britain, the USA and France as being less friendly than the ruling dictatorships in Bahrain and Yemen?

The national, democratic and human rights of all peoples must be defended whether they are Libyan, Bahraini, Yemeni, Palestinian or even Irish. The hypocritical stance of the UN on the Libyan conflict is one that the Government should and must raise with our European partners. While there has been some critical commentary on the motives of and speedy response by the UN compared with its lack of a response in other countries, the emphasis on the protection of civilians in Libya contained within Resolution 1973 is to be welcomed. However, it remains to be seen what the effects of such a resolution will mean for people on the ground.

Claims that the international coalition has caused civilian casualties must be treated severely. It is unacceptable that they are dismissed out of hand. Yesterday, it was claimed in the media that an Osprey fighter shot at civilians, one of whom lost a leg in the incident. There is serious mounting concern about a growing number of reports by reputable sources such as Amnesty International regarding disappearances, namely, that those who have disappeared are in the custody of Colonel Gaddafi's forces. This is a worrying development by any standard. Colonel

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Gadaffi must immediately call a halt to any human rights violations carried out by his state's forces.

It is also paramount that those enforcing the no-fly zone adhere strictly to the rules of international humanitarian law. The protection of all civilians must be at the heart of any military action. The international coalition must refrain from targeting areas where civilians could be threatened. It must also refrain from targeting civilian infrastructure. Attacks should not take place on civilian objects even if their destruction is presumed to weaken Gadaffi's forces. We cannot witness a repeat of the events in Iraq or allow this situation to escalate to such a level.

The growing humanitarian crisis that is people fleeing the Libyan conflict during the unrest is emerging as a critical issue. The UN High Commissioner for Refugees, UNHCR, has warned that at least 75,000 people have turned towards the Tunisian border and an additional 69,000 have turned towards Egypt. Thousands of refugees are stuck at Libya's border with two countries in freezing conditions and with little or no international assistance or hope of escape. This humanitarian crisis is set to deepen and worsen. The refugees must not be forced to turn back. Ireland and the rest of the international community must use whatever influence they can bring to bear on Libya's neighbouring countries to convince them to open their borders in the medium term while the conflict is escalating. The international community must support and assist countries that agree to receive refugees.

There is no military solution to the situation in Libya. Meaningful dialogue must be employed as the path forward and a halt to military action must be made by all sides. This needs to be the international community's focus. I call on the Tánaiste and Minister for Foreign Affairs to use his office to ensure Ireland leads the way in trying to put a stop to the conflict and start dialogue.

An Ceann Comhairle: Deputy Ó Snodaigh has nine minutes remaining.

Deputy Aengus Ó Snodaigh: Ní úsáidfidh mé iad go léir. Libya, Egypt, Tunisia and the entire African continent suffered for centuries as a consequence of colonialism and imperialism, when the west carved up territories and pillaged their resources. In recent times, the need for oil has resulted in the west supporting despotic regimes in a number of countries in the region. The region has also been militarised to an extent that has not been witnessed previously. In particular, during the Cold War era, the west and the Soviet Union played one country off another by arming groups and setting them against each other in pursuit of the natural resources in the region. When it suited western powers, they turned a blind eye — they continue to do so — to the excesses of those in charge against their civilian populations or against the members of particular groups and religions in their countries. It is hypocritical that the western powers are willing to impose a no fly zone on Libya, yet when the Israeli regime was bombing the hell out of Gaza not so long ago, there was no move by them to impose a no fly zone on the Palestinian territories to prevent the Israelis from bombing civilian targets.

We need to be careful when endorsing no fly zones to ensure they are not one-sided and to ensure the signal goes out to all other regimes in the region that the UN and the west will not stand by and will impose the same restrictions they are imposing on Libya on any regime willing to target civilians.

Tacaím leis an cinneadh chun pobal neamhurchóideach Libya a chosaint. Tacaím chomh maith leis an cinneadh go gcuirfear aon ghníomh atá ag teacht salach ar dhlithe idirnáisiúnta i leith chosaint saoránach in am an chogaidh os comhair an Chúirt Idirnáisiúnta agus go gcuiseofar siúd atá i gceannas nó atá tar éis an ghnímh sin a dhéanamh amach anseo. Sa deireadh thiar

thall, séard atá i gceist againn agus á phlé againn anseo ná cearta daonna, cearta gnáth saoránaigh atá faoi ionsaí ag fórsaí Rialtais Libya. Sa deireadh thiar thall, níl áit ar bith sa domhan gur féidir le aon duine seasamh i bhfábhar a leithéid. Tá sé ceart go bhfuil an cosaint sin á thabhairt do saoránaigh. Caithfidh muid a dhéanamh cinnte de go bhfuil an daonlathas chun cinn sa cheantar. Ach ag an am céanna, caithfidh tuiscint a bheith againn ar stair agus ar chultúr an réigiúin agus a thuiscint nach féidir linne a rá go díreach conas mar a gcuirfear an daonlathas sin i bhfeidhm chomh fada agus go bhfuil cothroime do chách taobh thiar den daonlathas sin.

Tacaíonn siúd atá taobh thiar den chinneadh a rinneadh na Náisiúin Aontaithe le déanaí le Rialtas Saudi Arabia, Rialtas Kuwait agus rialtais tíortha eile sa réigiún sin nach bhfuil meas madra acu ar chearta daonna, tíortha nach dtuigeadh riamh cad atá i gceist le cothroime. Mar sin, caithfidh an éileamh ar dhaonlathas sa cheantar seo seasamh don cheantar ar fad seachas do thír amháin thar tír eile. Caithfidh muid cruthú chomh maith dóibh siúd sna tíortha seo nach ar bhonn cosaint ar ola nó achmhainní nádúrtha eile atá an seasamh seo á ghlacadh againn, ach go bhfuil muid ag déanamh iarrachta cosaint a dhéanamh ar saoránaigh agus go bhfuil muid ag iarraidh tacú leo seachas tacú le regime amháin thar regime eile.

Deputy Mick Wallace: I wish to share time with Deputies Maureen O’Sullivan and Richard Boyd Barrett.

I find it ridiculous, as a new Member, that so few Deputies are present but they must have a funny notion about how the Parliament should work. I am sure none of the 166 Members would stand up for Gadaffi. He has not behaved in a good fashion over a number of years, like many leaders in the region. Sadly, the guns and bombs he is using in his campaign were supplied to him mostly by Britain, France and Italy, the very countries which are keen to drop bombs on the country. It is all very well for these governments to do business with Gadaffi and to speak to him about oil and arms but when it suits them, they will drop bombs on him.

As British Prime Minister, Tony Blair visited Gadaffi in Libya in 2004. Condoleezza Rice visited him as American Secretary of State in 2008 and President Sarkozy visited only two years ago but they have a different agenda now. There are huge inconsistencies in how western powers apply their foreign policy and it is hypocritical that only in the past week 40 civilians were killed by a government supported by western powers in Bahrain while, in Yemen, 52 civilians also lost their lives at the hands of a government that is strongly supported by them. It would be nice if the Government had the courage to point this out.

As Deputy Ó Snodaigh stated, in January 2009, when Israel was allowed to bomb the living daylights out of Palestine for an entire month, president elect Obama sat on the sidelines and said nothing. His argument that he was not allowed to speak out on the issue because he still had not taken up the office of president was blown out of the water when he made comments on two other issues that came up at the same time. It is pretty obvious to most people on the planet how western governments do business. I firmly believe that the idea of dropping bombs on people is not a wonderful way of introducing them to the notion of democracy. Thankfully, the regimes in Tunisia and Egypt are making progress without recourse to bombing by western powers, which is positive, despite the fact that former president Mubarak was given financial and political support by the Americans for more than 30 years. He ran a very corrupt regime, just like Gadaffi.

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Will issues be taken up with Saudi Arabia, which runs a disappointing system? Many people there suffer persecution but Saudi Arabia is America's main friend in the region and the notion of slapping the country on the wrist does not come into the equation. The Bahraini Government sought Saudi Arabia's help recently to quell civilian unrest. These are people we are supposed to support but there is not a whisper from the American or Irish Governments about this. It would be great if the Government had the honesty to call it as it is. President Sarkozy could not wait to bomb Libya. The same man did not support the unrest in Tunisia and Egypt but with elections coming up in France in 12 months and there being a good chance he will not be re-elected, he has decided that bombing Libya would be a good idea. This resembles what Margaret Thatcher did in the Falklands War many years ago.

It would be very disappointing if the French people fell for such a cynical act on behalf of Sarkozy.

The Irish Government should take note that five of the major powers in the world today — Brazil, Russia, China, India and Germany — have already refused to back this bombardment. We will not cause good things to happen in Libya. We are taking sides in a civil war. We want to see the end of Gaddafi but as Lawrence of Arabia said many years ago to his English counterparts: "Better that the Arabs do it tolerably than that you do it perfectly". It is better that it comes from them than from outside powers. History should have taught us the lesson that interfering in these Arab areas in a military fashion costs us dearly, as the deaths of 1 million civilians in Iraq will testify.

Deputy Maureen O'Sullivan: What we are seeing happening throughout north Africa is the culmination of years of frustration caused by living under dictatorships with no concern for the well-being of their citizens. It is caused by frustration and the lack of decent living standards, adequate food, water and housing, opportunity, particularly for young people when it comes to education and employment, and, most significant, a lack of democracy — the ability to voice an opinion and decide on the type of society in which one wants to live. Advances in IT have contributed to that, with people living under dictatorships becoming aware of the alternatives such as countries where people over 18 have a vote, where men and women are treated equally and human rights are respected.

Libya is an amazing country with a rich cultural, archaeological and literary heritage but it is horrific to read of what is happening in that country. There is no end in sight to the gunfire, explosions, fatal shootings and bombardments and there is a real possibility of years of civil war and another Vietnam or Iraq.

It would be wonderful to believe that Britain, America, France and Italy were in Libya on behalf of the people and in the name of democracy and that they were not just paying lip service to democracy for their own self-interest, namely, oil. Western leaders and certain groups in the west were very happy to support Colonel Gaddafi, and also receive support from him, but I suppose necessity makes strange bedfellows.

There is also a concern about the military command structure of the intervention source and questions arise over the role of NATO. I am intrigued by the Arab League urging the motive of "protection of citizens" and wonder about their concern for their own citizens.

Ireland, as a neutral country, has a role to play in ensuring that this does not become a game of political football between the various players. I welcome the Tánaiste's comments earlier regarding UN Resolution 1973 as a way forward but the attack on Gadaffi cannot be allowed favour the emergence of radical fundamentalism.

How does a leader of a country get to the point of stating that his forces would show "no mercy, no pity" in advancing on his fellow Libyans? I have listened to a great deal of debate about the lack of freedoms in Libya, which has been known for many years, but nobody is saying very much about that.

The Libyan writer, Hisham Matar, a Man Booker Prize nominee, said that behind the nightmare of Gadaffi's violence is hope, an incredible dream, and that there comes a point when being silent is almost like death. It is obvious that the Libyan people are not prepared to be silent any longer.

Deputy Richard Boyd Barrett: We would all agree with the sentiments of the Tánaiste in welcoming the democratic revolutions that are sweeping across the Arab world in Tunisia, Egypt, Libya, Bahrain, Yemen and Jordan, and which are beginning to impact in other states also. They are to be welcomed because for the most part those regimes were brutal dictatorships that engaged in the systematic denial of the most basic democracy and civil rights to their citizens, and using torture against political opponents and dissidents as a matter of course. To see those revolutions take place, and ordinary people demanding democracy and succeeding in overthrowing dictators, is truly inspiring.

I do not agree with the Tánaiste, however, that the response of the major western powers or the current military intervention in Libya is in any way motivated by genuine concern for the ordinary people of Libya or any of the other countries in the Arab world or by genuine support for those democratic revolutions. The contrary is the case. This military intervention is a cynical manoeuvre by western powers to shore up their strategic interests in a region where the regimes they have colluded with for decades in Libya and in the other despotic states in the Arab world are coming under threat. They are desperately trying to control the situation and secure their strategic interests.

While it is perfectly understandable that desperate Libyans faced with the brutality of the Gadaffi regime would look anywhere they can for assistance, this military intervention will not work to the benefit of ordinary Libyan people because it is not motivated by an attempt to help those people. One only has to look at the lead players in this assault to see that that is clear. It defies any sort of credibility for Italy, France and the United Kingdom to suggest that they are intervening in Libya because of a concern to protect the Libyan people from the brutality of Gadaffi when they have worked hand in glove with Gadaffi for years.

The biggest sellers of arms to the Libyan regime are those very states — Italy, France and Britain. Hundreds of millions of arms have been sold to Gadaffi which he is now using against his own population. These European states were more than happy with the profits bonanza to sell the weapons Gadaffi has used against his own people for decades, and is continuing to do so. How can those states have any credibility? Is it not the case that they are moving to intervene in that region because these countries have oil deals with Libya and major oil interests in Libya ?

Ireland has some questions to answer in that regard. We have had oil arrangements with Libya. I understand 23% of our oil comes from Libya. I do not expect the Minister to be able to give immediate answers to this but I would like the Government to look into the contracts we had with the Gadaffi regime, and the other trade arrangements and contacts we have with

[Deputy Richard Boyd Barrett.]

the Libyan regime, because I believe we will find many connections between business and Government in this State and the Gadaffi dictatorship.

The evidence of the double standards of those involved in the military intervention in Libya extend across the region. Those states that are now bombing Libya did nothing to support the democratic movements in Tunisia and Egypt when they first erupted. The United States in particular could not bring itself to call for the overthrow of the Mubarak regime until it was effectively an accomplished fact as millions of Egyptians took to the streets and forced Mubarak out. It was only at the last moment that the United States could bring itself to support the call to overthrow Mubarak. There should be no confusion as to the reason the United States was so mixed in its feelings about the movements to overthrow Mubarak; it was the major arms supplier and financial supporter to the Mubarak regime.

Where the double standards in all of this process are most apparent is in terms of what is happening in Bahrain currently and in the despotic nature of the Saudi, United Arab Emirates and Kuwaiti regimes. They are brutal dictatorships that we are still arming and financing. David Cameron, whose forces are involved in this attack on Libya, met with leading figures in the Saudi regime in recent days. Why are they not screaming from the rooftops about the brutality being meted out by the Bahraini regime, with the assistance of the regimes of Saudi Arabia and the United Arab Emirates, in crushing the democratic revolt in Bahrain? The west says nothing about it and continues to maintain normal economic and political relationships with these dictatorships. How can we seriously give credence to the benign intentions of the western powers in view of their cynical record of collaboration with brutal dictatorships in that region?

Minister of State at the Department of Foreign Affairs (Deputy Lucinda Creighton): I thank the Deputies who have contributed to this important debate. An important fact which has not been alluded to by any Member of the Opposition to date is that UN Resolution 1973 has already saved countless lives by enabling the international community, through the United Nations and co-operation within the European Union, to stop Colonel Gadaffi and his troops from marching to Benghazi and slaughtering innocent and defenceless citizens. It is important to acknowledge that success which has already happened in Libya. I am proud of the European Union's involvement in that process.

When one compares what has happened in Libya with previous examples of total and utter ineptitude both within the European Union and the United Nations with regard to the Balkans in the 1990s, one cannot describe it as anything other than a success to date. In the past, the EU and UN failed miserably in regions which were at grave and immediate risk of experiencing mass genocide and gross violation of human rights due to a lack of political co-ordination and a common and coherent approach. The genocide that occurred in Srebrenica in Bosnia and Herzegovina in 1995 is a prime example of the horror that can occur due to needless inaction on the part of modern European and western states.

In the case of Srebrenica the EU and the UN stood idly by while waiting for NATO troops to belatedly intervene. While this inaction was paralysing the EU in particular an estimated 8,000 Bosnian boys and men were murdered by units of the Republika Srpska army. Thousands of women and children fled, many of them having been raped and maimed and having suffered inhumane conditions while the western world stood by. We in the EU should still be ashamed that we could not even defend our closest neighbours. The UN could equally hang its head in shame at the weakness and inaction that allowed such bloodletting to occur.

Since that event and other examples of inaction in the Balkans, the EU has gradually worked towards enhancing the capability of its member states through the Petersberg Tasks, the Treaty of Amsterdam, the Treaty of Nice and, more recently, the Treaty of Lisbon. These capabilities have continually been developed to focus on peace and democracy building in particular. The Lisbon treaty has further enhanced these objectives by focusing on pooling our sovereignty to develop humanitarian and rescue operations. That treaty also extended the EU's potential in terms of conflict prevention missions and post-conflict missions. It introduced permanent structured co-operation, which is open to all states to opt into on a case-by-case basis. EU states are, therefore, prepared to fulfil the most demanding military missions on behalf of the EU, especially in response to requests from the United Nations through agreement by the UN Security Council in the form of a resolution. That has occurred with regard to Libya.

Our decision within the EU and through the United Nations to intervene in Libya was, unlike in the case of Srebrenica, swift, decisive and, so far, successful in its noble aspiration to save thousands of innocent civilian lives. I believe Ireland and the EU can be very proud of this. Undoubtedly, this is an operation with huge and grave implications and we must be mindful of the fall-out that could occur in the weeks and months ahead.

It is in Colonel Gadaffi's hands as to whether the violence ceases and the people of Libya are allowed to fashion a new and democratic way forward for themselves through reforms and a genuinely inclusive national dialogue. The overall priority for member states of the EU and the UN must be to remain committed to ending the violence as soon as possible, to ensure the safety of all civilians in Libya and to facilitate the humanitarian access that is crucial and which has to date been scuppered by the Gadaffi regime. The intention must be the shortest possible mission to protect Libyan civilians and to persuade the Gadaffi regime to desist from further violence and attacks on them. We must continue to maintain active contacts with our African and Arab partners and, in particular, continue to work in collaboration with the Arab League. That must be a significant priority for all the states involved in the action so far.

It is important to stress that the EU's intervention in Libya is not simply through the military action relating to the no-fly zone but also through the imposition of a range of measures and sanctions which are designed to put pressure on the Gadaffi regime and to ensure the protection and support of Libyan citizens who have been part of the democratic uprising. The EU imposed an asset freeze, a travel ban and an arms embargo on Colonel Gadaffi, the members of his family and members of his regime following the passing of UN Security Council Resolution 1970 which was mentioned earlier by the Tánaiste. This was followed by a round of follow-up measures which target entities such as the Libyan Investment Authority, which controls an extensive multi-billion dollar investment portfolio on behalf of Colonel Gadaffi and his associates. It is important that the EU continues to examine the introduction of other measures and all forms of sanctions to increase pressure on the regime and to try to ensure a speedy resolution and recognition of the democratic forces within the state.

It is important to note and commend the hugely courageous work of the Libyan National Transitional Council. While it is Ireland's long-standing policy not to recognise anything other than a state, we must recognise and support the efforts being made by the LNTC to ensure a swift transition to democracy within Libya.

There is huge pressure across northern Africa in regard to mass migration, with severe pressure on borders and in terms of security and protection of migrants who are fleeing terror, harassment and the type of military action Gadaffi has imposed on his people. There is an enormous onus on the United Nations and the European Union to co-operate with international agencies to protect and support these people. Ireland can be proud of the intervention

[Deputy Lucinda Creighton.]

we have made through the United Nations Humanitarian Response Depot in providing practical support to agencies working to protect people in the region.

Deputy Pat Breen: I welcome the opportunity to speak on the events taking place throughout the Arab world. What is happening there is similar to what happened in the old Soviet Union with the emergence of new countries. I was fortunate last weekend to be part of a European Union delegation which travelled to Cairo to see at first hand what has happened since the revolution that took place in Tahrir Square in Cairo on 25 January. Since then we have also had a relatively peaceful changeover in Tunisia.

Most of these regimes in north Africa and elsewhere in the Arab world are run by dictators and there have been serious violations of human rights in all cases. The major difficulty now for Egypt and other Arab countries is how to cope with an emerging democracy. Last Saturday in Egypt a referendum took place on a change to the constitution in which 60% of the people came out to vote. I met an English-speaking woman at a polling station who told me she did not mind what was on the ballot paper — what was important was that this was the first time she had taken part in a free ballot. Instead of fear there was freedom. It was the first time in 35 years that the Egyptian people did not know in advance the outcome of a vote.

What is happening in the Arab world, particularly Libya, is precisely what is bound to happen when a dictator is in power too long. President Mubarak was in power in Egypt for 35 years and Gaddafi has been in control of Libya since 1969 having seized power in a *coup d'état* from King Idris. Libya has a population of some 6.5 million, which is low relative to its landmass, it being the fourth largest country in Africa. Some 70% of the terrain is desert and most people live on the Mediterranean coast. The capital, Tripoli, is on the eastern coast and has a population of some 1.7 million. The country has a beautiful coastline and the tenth largest oil reserves in the world. Much of the wealth associated with those reserves has been appropriated by Gaddafi's regime with the people receiving little benefit from it.

Following recent events there are now two entities claiming to be the official Government of Libya. Colonel Gaddafi controls Tripoli and most of the western half of the country, while the national transitional council of the Libyan Republic, led by Mustafa Mohammed Abdul Jalal, is based in Benghazi and controls the eastern half of the country. The only two countries in the European Union that have thus far recognised the new council are France and Portugal. Gaddafi's attacks on his own people have infuriated the whole Arab world. My group met Amr Moussa at the Arab League headquarters in Cairo last Sunday after his return from Paris where he had given his approval for the air strikes on Libya to prevent Gaddafi's troops from killing civilians.

More people were killed in Yemen yesterday and there has also been unrest in Bahrain. This unrest is spreading throughout Africa and further afield as various dictators come to the end of their term. The Minister of State, Deputy Creighton, referred to some of the difficulties that may arise as a result of recent developments. For example, there are almost 1 million Egyptians living in Libya. If the war continues — as it is likely to do even though the coalition says it has taken out most of Gaddafi's air bases — there will be a civil war and an attempt by the Libyan people to take out Gaddafi. It was made clear to us at our meeting last weekend that the Arab world wants him gone. Unfortunately, however, he is holding on and he has his supporters.

The borders of many countries in the region will be under pressure as refugees in Libya seek to return to their home countries. If a significant portion of the 1 million Egyptians living in Libya seek to return home it will cause more problems for Egypt which is facing severe econ-

omic problems as a consequence of the regime that was in operation for 35 years. Much of that country's wealth was taken into foreign banks and Mubarak and his allies have plundered the country. People in the region are crying out for help and Europe must answer that call not only in terms of military intervention but in the form of economic assistance. The EU's High Representative for Foreign Affairs and Security Policy, Ms Catherine Ashton, and the United States Secretary of State, Ms Hillary Clinton, have visited the region. In many cases the transition to democracy will cause problems and it is vital that we offer support in this regard.

On 17 March the United Nations Security Council passed Resolution 1973 by a vote of 10-0. French fighter planes entered Libyan airspace last Saturday in the first step in the coalition's imposition of a no-fly zone under the UN resolution. I hope there will be an end to that within a week or two. It is not a situation we want to see continuing and I hope Colonel Gaddafi sees the light and lets democracy take its place.

I commend the Tánaiste's humanitarian contribution of €650,000 this morning, it is vital that Ireland plays its role in the humanitarian field. There were reports this morning of tanks attacking a small town in Libya, with brutal forces acting on behalf of Colonel Gaddafi to try to hold on to power.

I welcome this debate. That we have spent time on it shows that Ireland is concerned about what is happening with our neighbours in the Arab world.

Deputy Michelle Mulherin: The Libyan situation is an internal matter and coups and attempted coups are commonplace in Africa. The external interference from countries such as the United States is worrying. Lessons seem not to have been learned from Somalia or Iraq and there is an ongoing situation in both Sudan and Egypt.

What makes the Libyan situation special? Purely and simply, oil does. Libya should be helped to settle its problems but that is up to the Libyan people. Those who oppose Gaddafi did not follow democratic means; they took up arms against their leader. They cannot expect support from democratic countries; countries that themselves insist they do not talk to terrorists, no matter what we think of the despot. It was put succinctly by Kevin Myers in today's *Irish Independent*; Gaddafi now faces an armed revolt against a Government that is recognised by the UN and the EU. We in Ireland and the European Union must maintain the integrity of this position and resist any inappropriate intervention in the internal affairs of a sovereign state like Libya.

Deputy Clare Daly: The Minister of State, Deputy Creighton, will live to regret the points she made about this intervention being a success. We can return to that at a different date.

With the mounting civilian death toll, the genuine hopes of ordinary people in Benghazi and Tobruk that the no-fly zone and military intervention would assist them in defending the revolution and protect their interests are fast disappearing. The tensions between the attacking powers reflect a jockeying for position and show the naked political and economic calculations at the heart of the intervention, which was nothing more than an attempt to seize the opportunity to place a more compliant regime in that oil wealthy region.

It is also being used to establish the democratic credentials of some of the European powers. Are we expected to believe the attacking powers have had a Damascene conversion and are now friends of the Libyan people? They were never their friends before; they were not friends last month, when the *The Wall Street Journal* was lamenting the fact that the partnership between Colonel Gaddafi's intelligence service and the CIA was about to be broken. They were not friends of the Libyan people when they were trading in arms and when they turned a blind

[Deputy Clare Daly.]

eye to the actions of the regime. The double standards in the approach here compared with the approach to other countries have been well highlighted. This is about oil and the installation of a more pliable regime.

The Minister of State's points trying to justify the intervention under the fig leaf of the support of the Arab League need further examination. The composition of that body reflects a collection of reactionary autocrats who rule in their own countries through repression and lack of democracy; it is not a crowd we would want to align ourselves with.

The ordinary people in Ireland stand squarely behind the population of Libya in its struggle for democratic rights and an end to the stranglehold and corruption of the Gadaffi regime and the clique surrounding it, and in the struggle to ensure oil and other resources in the country are used for the benefit of the population. That issue, however, will be decided by the Libyan people. The intervention by attacking forces has not assisted that struggle; it has made it worse, even from the simple point that it has allowed Gadaffi to use anti-imperialist rhetoric to rally his own supporters around the western parts of Libya and in Tripoli.

I agree with the points made by Ministers that this is a complex and dangerous situation. There is widespread opposition to Colonel Gadaffi, particularly in the east of Libya, but it is not that straightforward. People are also concerned about what he might be replaced by and about the west's involvement in this. They need only look to Iraq or Afghanistan to see the dangers in the situation. I do not agree with the Minister of State that the intervention was necessary to protect the population of Benghazi. There are 1 million people living in and around that city and it would have been possible for the Libyan people themselves to defend the city and to appeal to the army rank and file to support a common programme for democratic rights and a secure economic future.

The self-appointed interim body, the Transitional National Council, does not point the way forward. These people appointed themselves and many of them are defectors from the Gadaffi regime, while others are very pro-western. They are not members of the independent organisations that represent Libyan workers and young people. The way out of the situation is, as Deputy Wallace said, through a mass movement of an organised character similar to those in Tunisia and Egypt, without intervention from foreign powers, based around a programme for democratic rights, the reversal of privatisations and the use of the oil and other wealth for the benefit of the population. We have a role to play in supporting a movement that can cut across the tribal and regional divisions that exist in the country around a programme to transform the lives of people living in Libya and to get rid of Gadaffi.

Deputy John Halligan: I have no truck with despots or dictators who would attempt to enslave their populations but as a neutral country we must be careful when we offer support to military intervention in another country. History should have taught us a lesson in Iraq. Military intervention there resulted in the deaths of hundreds of thousands of innocent people at the hands of those who intervened and other forces in Iraq.

It is interesting to hear the Government talking about people crying out for help. Not long ago the Palestinian people were crying out for help when they were being murdered by Israeli forces, bombed and slaughtered. I did not hear our Government or other western governments calling for any sort of military intervention to save the Palestinian people. The chances are the opportunity will be taken by the Israelis again to attack Palestine and it will be interesting to hear what Ministers have to say when that happens.

Will we call for intervention in Syria, Yemen and Bahrain? We have not been clear on this. What are we saying, that we will pick and choose when to intervene? If people rise up in Syria, Yemen and Bahrain, will we support military intervention there? Previous speakers were right when they said we should not intervene at all. The consequences have never been good when we intervene, as we saw in Somalia and Iraq. There is no question in my mind that the intervention in Libya is merely an opportunity for the settling of old scores by the British, French and Americans. It is nothing more than that.

I wish the people of Libya well and I hope they eventually overthrow Colonel Gaddafi. As in the case of Iraq, I am of the view that the final outcome will show that the current intervention was not worthwhile. The Government should learn lessons from that, particularly in the context of providing support to the United States when it intervenes in other countries.

Deputy Dara Murphy: This is my first opportunity to make a contribution in the House. It is apt that we should have this chance to discuss the most important international conflict that has occurred for some time. It should be noted that in this small country of ours Members of Parliament are in a position to provide their independent views of the conflict in Libya.

Resolution 1973, which was passed just over one week ago, came about on foot of a unanimous vote of the ten members of the United Nations Security Council. All of us who are democrats and who are part of the broader democratic process must acknowledge that Ireland is a member of the United Nations. As a result, we must respect the decision-making process that has given to rise to a no-fly zone being established in the skies over Libya in recent days. It is important to note that the United Nations speaks collectively for many of the people on this planet. As other speakers indicated, there are many examples of instances where the international community delayed, dithered and did not come to people's assistance. Past inaction cannot be used as a means to justify not taking action now in respect of the conflict in Libya.

A great deal of nonsense has been uttered during this debate with regard to the role of the French, the Americans and the British. While we have difficulties — such as those relating to corporation tax and other matters — in the context of our relationship with the French, it is important to remember that France, Britain, the US and many other nations remain close friends of Ireland. A number of Members referred to President Sarkozy. It should be recalled that Ireland has far more in common with France than it has differences.

This debates highlights the importance of trying to bring about a resolution of this conflict for the people of Libya. There is great potential for trade between our countries. Until recently we were still hoping to restore live beef exports to Libya. There is also great potential for the Libyan people to live in a democratic society. Their counterparts in Ireland and Europe are very privileged to live in such a society. We must not hide from our responsibilities. We must step up to the plate and forgo the opportunity hide behind our country's neutrality, which allows us to be protected by greater powers in the European Union and further afield.

It must be acknowledged that Sinn Féin's stance in respect of Colonel Gaddafi and Libya is difficult to swallow. The Libyan people are entitled to democratic freedom. It must be remembered that there were strong links between Sinn Féin, the IRA and Libya in the past. In 1987, a vessel carrying an arms shipment from that country, which contained some 120 tonnes of weapons, was intercepted in the Bay of Biscay while *en route* to Northern Ireland. Members of Sinn Féin cannot speak in an independent fashion when it comes to discussing removing Colonel Gaddafi from his position as a dictator in Libya.

[Deputy Dara Murphy.]

I wish the people of Libya well. It is not correct to state that they are not capable of overthrowing the dictatorship which has blighted their country on their own. We must wish them the very best in their struggle. The international community must act swiftly to end the conflict and put in place the kind of democratic freedoms we in Ireland take for granted.

Deputy Peter Mathews: On Friday last I met Mr. Hussein Hamed Buhidma and a colleague of his, Mr. Adam Argaig, in Buswells Hotel. Mr. Buhidma ran as a candidate in the Dublin South constituency in the recent general election. He was born in Libya but moved to this country in 1983. Since then, he has raised a family here. He is extremely grateful for the welcome and support he received from Ireland and her people when he arrived here. I got to know Mr. Buhidma because with a week to go to polling day, I decided to telephone the Independent candidates in Dublin South to wish them well and salute them for being courageous enough to put their names forward for consideration. When I telephoned Mr. Buhidma, he informed me that his brother in Benghazi had been killed by anti-aircraft fire. That brought home to me, in a very real sense, what I had been reading about in the newspapers. I found it difficult to comprehend that the brother of a fellow candidate in the general election had been shot and killed in Benghazi.

At that time a number of people said to me that it was a shame that Ireland, whose people enjoy democracy and huge freedoms — relatively speaking — sometimes hesitates in respect of those in other countries who are struggling to survive in the face of tyranny and despotism. In the days following my telephone call to Mr. Buhidma, I discovered a number of facts about Libya of which I was not previously aware. For example, after the Second World War it took some years for Libya to be established under a constitution. The constitutional model lasted from 1951 to 1969, when Colonel Gadaffi stole power from the Libyan people. He has held them in a vice grip of fear and subjugation ever since.

When we were having a cup of tea together on Friday last, Mr. Hussein Hamed Buhidma asked me to bring to the attention of the Dáil the plight of the people of Libya. He specifically requested that we express our encouragement as overtly and strongly as possible. I am of the view that his request was reasonable. On Monday last, I met Dr. Ibrahim El Sherif and his friend, Mr. Mohamed El-Hagagi, who are both also from Libya. Dr. El Sherif is a consultant ear, nose and throat surgeon at Our Lady of Lourdes Hospital in Drogheda and also at the Beacon Clinic in Dublin. He has been in Ireland for 20 years and he and his Libyan friends have come together to express their solidarity with the people of their home country in their moment of need. Totally independently of Mr. Hamed, he contacted me and asked if we could lend our voice to that of their people. He explained that Libya has a total of almost 7 million people, something I did not know. Its population is spread in two main directions, from Tripoli to the west to Benghazi to the east and across other towns and cities in between. Those who have expressed the desire for liberation are in towns under the control of the National Council. They were on the point of being obliterated when the United Nations stepped in with the no-fly zone resolution.

It is to the credit of France that it took the lead in this regard. It was explained to me how Muammar Gadaffi extends his vice-like grip of fear. His army is about half mercenary and half native Libyans. The native Libyans are controlled by Gadaffi, who has a hostage mentality. He keeps the families of the people who head up the administration and the army in compounds under a very strict grip of fear. We do not get a clear picture of what support he has, even in the normal understanding of support. The situation is similar to a tiger kidnapping. It is ugly and unacceptable.

I will read an e-mail I received from Mr. Hussein Hamed following our meeting on Friday. He said:

Dear Mr. Mathews, I would like to express my gratitude towards you for giving me and my colleague, Adam Argaig, the time to speak to you about Libya and what is going on there last Friday. We, the Libyan people in Ireland, would like to thank you and your Government in relation to your stand regarding the UN Resolution 1973.

I watched His Excellency An Taoiseach, Mr. Enda Kenny, in the “Oireachtas Report” on RTE and noted his statement, “Gadaffi and his family should surrender power and allow the Libyans to peacefully determine their own shared future”. I have told you that the Gadaffi regime has lost any legitimacy of representing the Libyan people. The United Nations, the Arab Union and many heads of states around the world stated, either by statement or decisions, that this regime lost the legitimacy to represent the Libyan people.

Mr. Mathews, thank you for your great support that I felt when speaking to you last Friday. I wish you every success. Thank you for your time.

I read that letter because it comes from an individual who is hugely appreciative of all that Ireland has given him and his family. He was touched to emotion and had to pause to compose himself. He said Ireland is one of these great places that can add a huge and magnified voice to the Libyan people’s deep desire to put in place, after the removal of Gadaffi, the democracy we all desire.

He went further and explained, in case we had worries or doubts about the make-up of Libya, that Islam is the religion of the entire nation. Libya does not have the problem of degrees or sub-parts of Islam. Islam is a blanket faith that sits comfortably across the entire nation, west and east. After the birth pains of the new democracy, there will be one less complication as a result of traditions. There are tribal elements but they are not so fundamental or deep rooted as to cause a problem. With regard to policing, if Gadaffi has to be forcefully removed there will be a respect for the police force because it is not so endemically contaminated as to present a problem, as happened in other countries under military occupation.

There is much to be positive about. This is an opportunity for the Irish people and Parliament to express unanimously, enthusiastically and encouragingly our support for the Libyan people.

Deputy Simon Harris: With the agreement of the House, I will share my time with Deputy Jerry Buttimer.

I welcome the debate on Libya. I welcome the assistance being provided by the Government to the people of Libya. Details of this assistance were outlined by the Minister of State at the Department of Foreign Affairs, Deputy Jan O’Sullivan, in a reply to a parliamentary question and by the Tánaiste and Minister for Foreign Affairs in the House earlier today. I am sure we all welcome this funding and the other assistance that will be committed by Irish Aid.

There is a real and disturbing humanitarian crisis within Libya. More than 250,000 Libyan people are thought to have fled across the borders of their country. This humanitarian crisis has been inflicted on the Libyan people, not by outside forces but by their own leader. I use the word “leader” loosely.

What we see in Libya is tangible proof that the rule of Colonel Gadaffi was no benevolent dictatorship but a despotic regime. For far too long the western world tolerated the antics of Colonel Gadaffi and was happy to view him as a sort of rogue, presumably for the sake of trade, rather than as an illegitimate and cruel dictator who was willing to engage in violence

[Deputy Simon Harris.]

and murder, and continues to do so to this day. In light of the activities of recent weeks, it is farcical to think that Libya had, until recently, a seat on the UN Human Rights Commission.

I acknowledge the constructive role of the UN in its adoption of Resolution 1973 and the position adopted by the European Council last week. The actions taken to date have prioritised protecting civilians and it is important to note that the purpose of such actions is to protect innocent civilians from the hand of the brutal regime under which they currently live. I have read and heard much comment comparing the intervention in Libya to the war in Iraq. We heard some of that in the House today. Such comparisons do not stand up to a real level of scrutiny. We must move away from the rhetoric of vested interest and western imperialism. Such rhetoric does an injustice to the seriousness of the crisis in Libya and to the intelligence of people.

There are crucial differences between the Libyan intervention and the war in Iraq. First, there is a clear United Nations resolution authorising the Libyan mission. Second, the resolution sets out very clearly objectives to help the people of Libya. It aims to bring an end to the violence currently ravaging Libya, protect civilians and facilitate humanitarian access. Third, the resolution has the support of neighbouring countries in the Arab League.

I welcome this morning's news that an international conference will be held in London to further examine ways of protecting civilians and assisting the humanitarian crisis in Libya. My thoughts are with the people of Libya and all those oppressed by dictatorship. I am grateful to live and participate in a democracy and to be a Member of a Parliament where we can all express our views freely, no matter how diverse they might be. Let us remember those who cannot.

Deputy Jerry Buttimer: I begin by paraphrasing the words of Charles Stewart Parnell and say that no man can or should put a halt to the march of a nation. As Deputies Mathews, Harris and others have said, we are in a free Parliament where we can express our view and participate in the democratic process. We have just completed such a process. The Libyan people have begun their march to freedom. This is to be welcomed.

Members have spoken about the reasons France, the United Kingdom or the United States are doing what they are doing. History is laden with wrong decisions.

The geopolitical history of the world is laden with the very bad treatment of people. As a Parliament and as citizens, we must welcome the ability of the people of Libya to have their opinion and to fight for democracy and freedom. I compliment the Tánaiste and Minister for Foreign Affairs, Deputy Gilmore, and the Minister of State with responsibility for European affairs, Deputy Creighton, on the work they have done.

We must stand with the people of Libya. The weapons Colonel Gaddafi sent to our country to try to destroy our democracy are being used again in his own country against his own people. As Deputy Mathews said, the Libyan people are a very proud and courageous people who are now, like the people of many other countries in North Africa and the Middle East, beginning to see the benefit of having democracy, which is pure and simple.

It is important that we stand with the Libyan people and protect innocent civilians. Equally, it is important that we build a support structure for democracy. We must learn from the mistakes of the past. I noted the words of Secretary of State Clinton and President Obama when they gave a commitment on the role of the United States and stated they would not send ground troops into Libya. Are we saying to the outside world that what we stand for here is democracy, its rights and its freedoms? If so, how can we stand in the way of the people of

many other countries who also aspire to this? This is why it is important that the role of the United Nations is scrutinised.

The UN has moved swiftly in its two resolutions. Looking back to other resolutions passed in 1996 and 2006 concerning the violation of human rights, it is important we give due recognition to the UN, which has been a maligned body throughout the world. In this case, the UN has acted on behalf of people. This is about people — ordinary people who are struggling to survive — and their protection is what democracy should be about.

1 o'clock

The international community has agreed almost in unison on the ending of the reign of Colonel Gadaffi. Let us consider his record in power and how he has treated people. Are we seriously suggesting we can allow this type of regime to continue? As democrats, we cannot.

The fine addresses given earlier by the Tánaiste and the Minister of State, Deputy Creighton, showed their thought processes and that of the Government. It is in the hands of Colonel Gadaffi to free his people and give them a new beginning by surrendering power and returning it to the people. We need to support the role of the international community because democracy must have a support structure to flourish and cannot be allowed to hang on its own.

It is democracy which is inspiring many people across North Africa and the Middle East in trying to build a new beginning for themselves and their peoples. If one meets and talks to people who are deprived of democracy, they cherish what we have here. While Deputy Richard Boyd Barrett, Deputy Dara Murphy, Deputy Peter Mathews, Deputy Thomas Broughan and I all have different viewpoints, we can argue, debate and put our case to the people in a sovereign election, and whether we win or lose, the people decide — they determine the type of Government they want. That is what this debate is about. It is not about the battle for oil or arms — that is too simplistic. Members can nod and say it is that, but it is not. It is about people. As democrats, we must always put the people we represent first. In this case, the people of Libya must be given that right to have a say in how their country is governed.

Let us consider the content of the resolution passed by the UN. It is very much focused on what Members have referred to in almost total unison, namely, the no-fly zone and the seizing of assets. I listened to Deputy Wallace earlier. However, it is not simply about going in and bombing. This is not done lightly. No military person pushes a button lightly. I challenge any Member to come to the House to say that. This is not done arbitrarily. Resolution 1973 is about the ending of the violence perpetrated by Colonel Gadaffi on his own people. He has no legitimacy to continue in government, he has lost the confidence of his people and the reality is the Libyan people would be better off if he was gone. It behoves all of us in the international community to ensure it is done quickly so the Libyan people can flourish in a new beginning.

Deputy Ann Phelan: I welcome this, my first opportunity as a new Dáil Member, to make my contribution to the international debate about our concern for the embattled people of Libya. I thank the people of Carlow-Kilkenny for returning me to the 31st Dáil.

Abraham Lincoln, who is commonly referred to as the father of democracy, once said:

This country, with its institutions, belongs to the people who inhabit it. Whenever they shall grow weary of the existing government, they can exercise their constitutional right of amending it, or exercise their revolutionary right to overthrow it.

Nowhere is this more evident than in Libya today.

I welcome the adoption by the United Nations Security Council of Resolution 1973 which demanded the immediate establishment of a ceasefire and a complete end to violence and all

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attacks against and abuse of civilians, and decided to establish a no-fly zone over Libya in order to help protect civilians. We support the implementation of Resolution 1973 in a manner that is proportionate, targeted and avoids civilian casualties.

Colonel Gadaffi has ruled Libya for over 40 years. An uprising against him began last month after the long-time leaders of neighbouring Tunisia and Egypt were toppled. Political stability in the Arab world appears to be progressively breaking up. Over three weeks ago, the people of Libya took to the streets in protest against Colonel Gadaffi and his oppressive regime, asking for new rights and freedoms. There were hopeful signs a better future awaited them, like elsewhere in the free world. Unfortunately, Colonel Gadaffi responded by attacking his own people. He has brought the full might of armed forces to bear on his own people, backed up by mercenaries. Initially, the world watched, but, thankfully, it then moved.

The overthrowing of such regimes by popular uprisings has been welcomed but much more is now required. The vacuum that is opening up could easily be filled by newer forms of oppression instead of new forms of parliamentary democracy. Permitting a Libyan crisis to descend into a massacre by the strongest over the weaker is an anomaly of acceptable international law and a distortion of the basic principles of human rights. I echo the humanitarian thoughts of Irish people in our hope that the peaceful needs of the Libyan people will be quickly met. We support the international community's demands for an end to the violence, access for international human rights monitors and the lifting of restrictions on the media.

The international community should be behind those movements that are seeking to set up democratic institutions. However, we should remember the tragic lesson of the past that a "one size fits all" democracy is not the solution. We must recognise there is not a perfect model of democracy for export, but a form of democracy that has a relevance to the communities that have paid such a high price for their freedom. This time, the UN Security Council has given its formal backing, the Arab League has asked for intervention and the people of Libya are on side. However, the principal strategy given consideration at the level of the Security Council appears to be one with military implications and may not be free from the influence of the economic interests.

It was only a number of years ago that Colonel Gadaffi was supposedly brought in from the cold, with an agreement that he give up weapons of mass destruction. Little was made of the appalling human rights violations against his own people of which he was guilty.

Through the UN Security Council, the West must now ensure that all kinds of humanitarian aid will reach the besieged citizens in the heart of the areas of popular uprising in Tripoli and Benghazi. As part of the UN resolution it was reported that these forces had discussed the progress of the no-fly zone and the protection of civilians during military action with leaders of the transitional national council. On the coalition's fifth day of operations witnesses in the rebel-held city of Misrata said pro-Gadaffi snipers had been firing on a hospital. Nothing is sacred in war. When there is a shift in war from peacekeeping to peacemaking, there is sometimes a very fine line regarding the protection of innocent civilians.

If we, as a nation, really care about international law and the relevance of the United Nations we should press for action now before more lives are lost, on a scale that can be clearly foreseen. When that job is done the military intervention will be over. Any regime change should be for the Libyan people to achieve. The international military intervention in Libya is not about bombing for democracy, or for Colonel Gadaffi's head, rather legally, morally, politically and militarily it has only one justification, namely, protecting the country's people from the kind of murderous harm that Colonel Gadaffi inflicted on unarmed protesters.

My contribution today is not meant to be empty rhetoric. I believe the Government should draw the attention of the United Nations towards addressing the unsettling change of regimes in this region, in the interest of re-establishing stability. As a nation, we should encourage the UN to look now into oppression in Bahrain, Yemen, Palestine, etc., across the Middle East. We should say now is the opportune time to re-establish a Middle East conference in order to seek an agreed resolution for long-term security and peace in that region.

The response to the Libyan crisis by the international community, the EU and Ireland has been swift and decisive. Above all, we must continue to support the Libyan people in their right to be free from the extremely oppressive Gadaffi regime. The solution will not be a military one. What is needed now are commitments to help build a future for the Libyan people that is based on a political framework.

Deputy Joe Costello: I am delighted to have the opportunity to speak about the current Libyan crisis. Libya has been noted in the international media for a considerable time, ever since Colonel Gadaffi took control more than four decades ago. It was one of the Arab states that appeared regularly in the headlines, most of the time for the wrong reasons. There was a certain amount of terrorism and the regime was never entirely benign given that the Lockerbie disaster in which more than 270 people died was traced back to Tripoli. Very large quantities of arms were imported into this country that undoubtedly exacerbated the conflict in Northern Ireland for a considerable period. However, it was not until recent times that Colonel Gadaffi came in from the cold, to a certain extent, and was again welcomed, particularly in the West. No doubt that had a great deal to do with the oil reserves in Libya but the colonel, too, appeared to want to plot a somewhat less belligerent and more benign political operation than before.

However, the Arab world has never been noted for human rights or democracy, as we in the West would see them. It was surprising, therefore, to see, all of a sudden, an Arab spring sprout up along the perimeter of the Mediterranean, in Tunisia in particular, and in Egypt and Morocco. Even more surprising, the response by the authorities in those countries was relatively benign. They acceded to a considerable degree of democracy and acknowledged the demands of the popular movements that had begun. In other countries the response has not been as benign and there is belligerence. However, the only country that has responded in a totally belligerent and aggressive fashion is Libya. As dictator in charge, Colonel Gadaffi declared war on his own people and engaged in direct violent conflict to resolve the dispute across Libya, from Tripoli to Misrata, Benghazi and other cities.

From that point of view it is important that the international community stands up and says this violent conflict cannot be permitted under international law. It was right, therefore, for the United Nations to intervene and pass two resolutions, the more comprehensive being the one the House is discussing, Resolution 1973, which was passed on St. Patrick's Day. It provided a comprehensive approach to dealing with the problem. It was unusual that a United Nations resolution should be so comprehensive and specific in regard to the areas to which it was to apply. It sought a very broad mandate and, most important, at the same time it specifically acknowledged the condemnation by the League of Arab Nations, the African Union and the secretary general of the Organisation of the Islamic Conference of the serious violations of human rights and the breach by the Libyan Government of international humanitarian law, as seen by the Arab world. Only then is set out the action allowed under the new mandate, namely, the protection of civilians — which is the most important point — the enforcement of an arms embargo, the establishment of a no-fly zone and the freeze on assets belonging to the Libyan authorities. These are all very desirable in terms of the dealing by an outside body with matters which are a threat to civilian lives.

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What was extremely important was the appointment of a panel of eight experts to monitor the implementation of this resolution, to provide an interim report within three months and a final report within 30 days of the ending of the mandate. All of us know too well what can happen when a resolution of this nature is abused. We have seen what happened in North Korea, Cambodia, Vietnam, Iraq and Afghanistan. One hopes the international western community, in particular, the United States, has learned lessons from those situations. It is unfortunate that it is the United States which is now leading the international force. It appears to be more than willing to abandon that leadership. I believe it should be ended as quickly as possible. No country other than Israel is so provocative to the Arab world. It is extremely important the United States is not seen to be to the forefront because its legacy in conflict resolution has not been a good one in all the parts of the world in which it has been engaged. That is one concern I would have. Although NATO is the preferred body, France is the country which has taken the initiative on the ground. It is difficult to see how any Western body leading a military force on an Arab country can be acceptable for any length of time. We must look to the league of Arab states to take over the role from now on. It has already expressed some concerns about the manner in which the resolution has been implemented.

Ireland's perspective is that of a country not engaged in any conflict in an aggressive fashion, but rather engaged with conflict resolution. It behoves us to point out very strongly the legacy of history and the dangers of getting embroiled in the Arab world. Many of the Arab states have already accepted the popular will of the people in their countries, particularly in Tunisia and Europe, and there is much on which to be built. The United Nations should go forward strongly to ensure that leadership is returned to the Arab states, especially as the military force in Libya, including its warplanes and tanks, has been blunted successfully.

Ireland has given €650,000 as humanitarian aid, which is very welcome. I am sure doctors and nurses will also be available to help out with any requests made; we should make this clear as a country which is to the forefront in building a new type of European Union approach in dealing with these matters. We should not engage in an aggressive fashion but look to defusing or resolving conflict. From that perspective, Ireland and other neutral countries in the European Union should take the initiative to show the way forward and avoid the greatest threat of all, which is the perception that this could in any way be interpreted as a crusade by the West to impose its authority and principles on Arab states. That is a dangerous prospect.

The United Nations resolution is proper but it must be monitored very carefully. We should disengage as quickly as possible and there should be no threat whatever of regime change being imposed by the coalition of forces involved. In this country we should lead the way to ensure we move to conflict resolution and the humanitarian stage of the action.

Deputy Aodhán Ó Ríordáin: I do not intend to go over too many points which have already been well made. As a country, Ireland has a unique opportunity to view what is happening in the Arab states and the north African countries which have been to the forefront of media commentary and international events in the past while. As a widely respected voice in international affairs, Ireland can comment and it is important that we make our voice known in the unfolding events. This reminds me very much of what happened in the late 1980s and early 1990s in eastern Europe, and as Deputy Costello has correctly stated, there is something of an Arab spring about what is happening in Tunisia, Egypt and now in Libya.

I have no difficulty in supporting Resolution 1970 or Resolution 1973 and I am quite happy there is a UN mandate for the actions taking place. The key word is proportionality, and everything that we are seen to support as a country should be done in a measured fashion. There is a danger in the perception that the international community only intervenes when an

oil-rich country is at stake. If we are intent on supporting those at risk of genocide, will we always act in such a way in every country where there is such a risk? We know that the international community has been very slow in making interventions when they were needed.

In supporting Resolution 1973 the proportionality aspect is absolutely key. We must be seen to protect those under threat and to prevent the excesses of the Gadaffi regime. We should not be seen to support any attempt at regime change, which is not what the resolution is about. It would be very easy for somebody with non-Western sympathies to get the idea that a force led by France, the UK, the US and others would have the intention of regime change but we do not want to support the idea. There should be a key message from this House that proportionality is everything and the protection of those at risk of genocide is absolutely everything, although we are not into regime change or forcing our will as an international community on anybody.

Russia and China are very unhappy with the implementation of this resolution, although those countries have human rights records which are nothing to shout about either. The Arab League is now also uneasy, and a number of African nations — South Africa in particular — have issues with how the resolution has come into effect.

Our history in international relations is proud and our ability to comment is without any stain of colonialism but we must be careful. While we commend the actions of the international community, protecting the most vulnerable and ensuring nothing happens on our watch that we have influence to stop, we should ensure that everything is done with proportionality and that we are never seen to impose our will or try to influence internal matters of another country. It is an exciting time to be involved in politics and see what people power can achieve but proportionality is key to what is happening with this resolution.

Deputy Costello has already mentioned the humanitarian aid we are affording to the Libyan cause. It is right and we should carry on with it. We must know checks and balances exist in the system and that the claim made by British Prime Minister David Cameron can be backed up. He argued that the action in Libya by the UK and others is legal, necessary and right.

We are happy to support Resolution 1973, as I am sure other Government colleagues will. We must consider how to move on from this and if there is an endgame. Have we considered what will happen when the current period of conflict finishes? Is there any potential for those who want the excesses of Gadaffi stopped to be open to an accusation that his excesses will be replaced by those of Western military forces? The key to the issue is proportionality and how we use our international voice to ensure we make points forcibly.

Deputy Seán Kenny: This is my first opportunity to speak in the 31st Dáil but I will say more about this on the next occasion as this is a serious subject. We must deal with it in a solemn manner. The response of the international community to the Libyan crisis has been clear and vigorous. The United Nations Security Council reacted swiftly in adopting Resolution 1970 on 26 February which implemented an immediate arms embargo, an assets freeze and a travel ban against Colonel Gadaffi and members of his family and regime. The Security Council also referred developments in Libya to the prosecutor of the International Criminal Court to initiate an investigation in light of clear evidence of widespread systematic abuses by the regime against the Libyan population.

Events in Libya have precipitated a major humanitarian crisis, with an estimated 300,000 people, mainly foreign workers, fleeing across the border to neighbouring Tunisia and Egypt. This development could create volatility in neighbouring countries. To its credit, the Government, through Irish Aid, has committed €600,000 in aid to deal with the humanitarian crisis. It

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is regrettable that many international aid agencies have been prevented from entering western Libya to provide aid and assistance to the population upon which conflict has been inflicted.

United Nations Resolution 1973, which was adopted on 17 March, demanded an immediate and complete ceasefire and authorised the use of all necessary measures to protect civilians as well as the establishment of a no-fly zone over Libya. The resolution further strengthens the arms embargo, assets freeze and travel ban imposed under the previous Resolution 1970. I welcome the adoption of Resolution 1973 which is clearly intended to halt the violence being waged by the Gadaffi regime on the Libyan people and to provide protection for the civilian population. I urge that any military actions taken in pursuit of the resolution be in full conformity with its terms, be proportionate and avoid civilian casualties.

The response of the European Union to the crisis in Libya is also welcome. The European Council, at its meeting on 11 March, made clear that Colonel Gadaffi must hand over power and remove himself from the scene to facilitate an orderly and peaceful transition to democracy in Libya in conformity with the legitimate demands and aspirations of the Libyan people. The full range of sanctions imposed by the two resolutions has been implemented at European Union and national level, alongside additional restrictive measures aimed at cutting off the flow of funds and misappropriated proceeds to the Gadaffi regime. Further restrictive measures targeting Libyan oil and gas revenues aimed at ensuring they do not end up in the hands of the regime are under consideration by the European Council.

The international community has also responded to the humanitarian position in Libya. Significant efforts have been undertaken to help those stranded in border areas. The United Nations High Commissioner for Refugees and the International Organisation for Migration are working with the Egyptian and Tunisian authorities to ensure the migrants in question receive basic humanitarian aid. The contribution of Egypt and Tunisia has been crucial and particularly praiseworthy in light of recent dramatic developments and difficulties in both countries.

On his recent visit to this country, the United States civil rights campaigner, the Reverend Jesse Jackson, commented on developments in Libya. Jesse Jackson is an eminent world statesman whose warning against excessive use of international military force in Libya should be given serious consideration. He also expressed concern that the United Nations mandate could be stretched beyond its original purpose to protect Libyan people from the humanitarian threat posed by Colonel Gadaffi. He indicated that the aims of the United Nations resolution were containment and a cessation of armed conflict and described it as a humanitarian mission.

Recent reports indicate that the majority of casualties in Libya have been civilians who were attacked by Gadaffi's forces. I concur with the Tánaiste and Minister for Foreign Affairs, Deputy Eamon Gilmore, that Ireland can only support the implementation of United Nations Resolution 1973 in a manner that is proportionate and avoids causing civilian casualties. The Minister stated the Government's position is that it supports regime change and a transition to democracy in a manner that is confined to the protection of civilians and on which the implementation of the United Nations resolution is based. I support United Nations Resolution 1973.

Deputy Nicky McFadden: I congratulate the Acting Chairman, Deputy Broughan, on his re-election and the Minister of State, Deputy Jan O'Sullivan, on her appointment. I wish both of them well and hope they enjoy good health. It is a great honour for me, my family and people in Longford-Westmeath who voted for me to make my first contribution in the Chamber.

Colonel Muammar Gadaffi, who has held power in Libya for 42 years since becoming the country's leader on 1 September 1969, is one of the longest serving rulers in history. As Deputies are aware, long-serving leaders become corrupt because power corrupts. Colonel

Gadaffi's government has been denounced by the West for opposing dissidents, engaging in state sponsored terrorism, assassinating expatriate opposition leaders and crass nepotism which allowed him and his family to amass a multi-billion dollar fortune.

Last month, major political protests inspired by recent pro-democracy events in Tunisia, Egypt and other parts of the Arab world broke out against Colonel Gadaffi's Government. These protests developed into a hostile general uprising against the colonel who vowed to die a martyr. It is reprehensible that Colonel Gadaffi would pledge to fight to the death against his own people.

The priority of the international community must be to protect the most vulnerable inside Libya and those who fled and are now living as refugees on the Libyan border. Humanitarian access to the country has been severely restricted for several weeks. As a result, humanitarian agencies have been unable to assess the scale of the needs of the population. Food availability is fast becoming a serious problem. Access to the country is vital to assist those who have been injured in the violence of recent weeks. Doctors have described desperate scenes as they struggle, in some cases without power, to cope with the numbers of injured. We have heard of surgeons who have been forced, through lack of space, to operate on corridors to try to remove bullets or treat shrapnel wounds.

It is worrying that all international humanitarian agencies, including the International Committee of the Red Cross and Médecins sans Frontières have withdrawn from the east of Libya. Ireland's humanitarian response has focused on providing support for the Office of the United Nations High Commissioner for Refugees, to which we have provided 100 tents and 18,500 blankets for use on the border with Tunisia. We have also provided funding to the International Organization for Migration for the repatriation of third country nationals caught up in the crisis. The Irish contribution to date amounts to €650,000. It is estimated that more than 300,000, mainly migrant workers, have fled across the borders with Egypt and Tunisia in recent weeks.

President Obama is fast becoming unpopular and is coming under attack domestically because of the cost of the Libyan operation and its uncertain future. The French Foreign Minister, Alain Juppé, however, has issued a reassuring statement indicating that the destruction of Colonel Gadaffi's military capacity will be achieved in a matter of days rather than months. I commend the international community on its prompt response. The Irish Government should use every influence to ensure the protection of civilians. Colonel Gadaffi must recognise the popular uprising in Libya and must surrender power. The international response demands an end to all violence and a political solution that reflects the wishes and rights of the Libyan, and all Arab people. Change that is sweeping across the Arab region is irreversible.

Acting Chairman (Deputy Thomas P. Broughan): I congratulate Deputies Nicky McFadden, Peter Mathews and all other new Members who made impressive maiden speeches during the past week or so. I now call on the Minister of State, Deputy O'Sullivan, to reply to the debate.

Minister of State at the Department of Foreign Affairs (Deputy Jan O'Sullivan): I join the Acting Chairman in congratulating the new Members who contributed to what has been a wide-ranging and informed debate, including Deputies Nicky McFadden, Ann Phelan, Peter Mathews and Aodhán Ó Ríordáin. I acknowledge the concerns expressed, in particular from the Opposition benches, and reiterate that the action was taken in response to requests from the civilians in Libya who feared for their lives, with support from the region and, as many speakers said during the debate, in response to the unanimous UN Resolution 1973.

I will outline Ireland's consular and humanitarian actions to date and make some observations on the international community's reaction to the crisis. As the crisis began in Libya,

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the priority of the Irish Government was the well-being of our citizens. In the week beginning 14 February, as it became clear that tensions were rising in Libya, the Government and the Department of Foreign Affairs became increasingly concerned for the safety of Irish citizens there. The Department advised citizens to avoid non-essential travel to Libya and on 16 February travel advice was amended to reflect the specific risk posed by demonstrations. Also on that date, the Irish Embassy in Rome, which is accredited to Libya, contacted all Irish citizens in Libya of whom they were aware and asked them to register their full contact details if they had not already done so. It asked also that they request any other Irish citizens in Libya of whom they were aware to do likewise.

By 17 February, the situation had further escalated and it was decided to advise citizens not to travel to Libya. The Department continued to monitor the situation and to liaise with EU partners, in particular those with missions in Tripoli, throughout the weekend of 19-20 February. On the morning of 21 February, the consular crisis centre was opened. Ten call handlers were assigned to the centre to deal with calls to a dedicated help line, which was open from 8 a.m. to 10 p.m. each week day and from 9 a.m. to 6 p.m. on Saturday and Sunday, 26 and 27 February. In addition, a crisis management group was established to co-ordinate our efforts and to liaise closely with our EU, US and other colleagues.

To lend further assistance to Irish citizens caught up in this crisis, two Air Corps aircraft and crew were deployed to Malta together with the Emergency Civilian Assistance Team, a team of Department of Foreign Affairs officials and a member of the Garda Síochána. They were joined by the Irish ambassador to Italy and a consular official. The aircraft, together with the Defence and ECAT team, made three flights to Tripoli, in the course of which the team members assisted in the evacuation of Irish and other EU citizens. Irish citizens were assisted to board flights from a number of EU countries and we, in turn, brought out an emergency medical case.

To date, the Department of Foreign Affairs has assisted some 140 citizens in their departure from Libya. Not all Irish citizens sought to avail of options to leave Libya. Currently, approximately 73 Irish citizens remain. Of these, 57 are in Tripoli, six in Misratah and ten in Benghazi. The Department has maintained contact with all Irish citizens in Libya known to it and with their families in Ireland. Since the air strikes began, we have been trying to contact all the Irish citizens who remain in Libya to inquire as to their safety and welfare. They are understandably concerned, in particular as exit routes out of the country remain difficult. We are maintaining regular contact with them and will provide whatever assistance is possible, in co-operation with those European states with representation still in the country.

As Minister of State with responsibility for trade and development, I am responsible for the Irish response to the humanitarian situation in Libya, which remains extremely worrying. The UN humanitarian co-ordinator for Libya, Mr. Rashid Khalikov, has described it as one marked by violations of human rights, with serious concerns about the impact of the fighting on civilian populations and possible violations of international humanitarian law. Reports of the increasing use of heavy weapons in populated areas are particularly disturbing given the dangers this poses to the civilian population. We are also concerned for civilians living in or near areas where there has been heavy fighting, especially in towns such as Misratah and Adjabiya. Ireland will continue to insist that all parties take all possible measures to spare civilians the effects of the hostilities.

The Government is also extremely concerned that most parts of Libya remain closed to aid workers. An inability to access areas in which civilians are at risk makes it extremely difficult to obtain independent information about the conditions facing the civilian population and an accurate picture of what has happened in cities which have been recaptured by Gadaffi forces.

Along with other EU member states, Ireland will continue to call on the Libyan Government to permit full and unhindered access for humanitarian agencies.

The crisis in Libya has already had serious ramifications for its neighbours. During the past month, more than 350,000 people, mostly migrant workers, have fled across the country's borders to Tunisia, Egypt, Algeria and Niger, prompting a major international relief effort. In recent days, the numbers have declined and those still crossing the borders are now being dealt with efficiently by the receiving countries and relevant UN agencies. However, approximately 9,000 people remain stranded along Libya's borders with Tunisia and Egypt where they continue to await onward transport to their countries of origin. I acknowledge the significant contribution made by the authorities in Egypt and Tunisia in facilitating and contributing to the international humanitarian response. This contribution is particularly praiseworthy in light of the recent dramatic events which both countries have experienced.

Clearly, the overall situation remains unpredictable and any significant intensification in fighting runs the risk of generating much larger-scale population movements. With Libya normally importing some 90% of its food, much of it through ports on the Mediterranean coast which have been damaged by the fighting, there is also potential for significant shortages of food supplies should the situation deteriorate further. The Irish Government, through Irish Aid, has already contributed approximately €400,000 in response to the crisis, through direct funding and in-kind assistance. This assistance included the transport of 18,500 blankets and 100 tents from our pre-positioned stocks in Brindisi for distribution by the United Nations High Commission for Refugees, UNHCR, as well as €250,000 for the International Organisation for Migration to help transport some of those stranded at border areas back to their countries of origin. In addition to this €400,000, I am pleased to inform Members, that, as already announced, I have today authorised a further €250,000 for the International Organisation for Migration to help it to continue the evacuation process and as part of its contingency planning for a potential escalation of the crisis. This contribution follows an appeal made this week by the United Nations.

The Department of Foreign Affairs stands ready to provide further support in response to the needs identified within Libya by the United Nations and other aid agencies such as the International Committee of the Red Cross, ICRC. The humanitarian situation lies at the core of international action on Libya. As the Tánaiste stated, the Government welcomes the adoption by the United Nations Security Council of Resolution 1973 to help protect civilians in Libya. It is worth recalling that as UN Security Council members voted last Thursday Colonel Gaddafi's troops had advanced to the perimeter of Benghazi and were preparing for a final assault to take the city, which they said would be dealt with mercilessly.

The people of Benghazi and the Libyan National Transition Council appealed to the international community to intervene to save them from the murderous mass reprisals that would undoubtedly have ensued if the city had fallen. Large numbers of Benghazi residents had fled to hide in the mountains. Through the Arab League the region had also appealed for help and specifically for a no-fly zone to be established.

One week on, the needs of Libyan civilians remain great. Misratah remains under siege and in desperate need of food and medicines. Unknown numbers of migratory workers hide in Libyan towns, endangered by Colonel Gaddafi's reckless policy of recruiting mercenaries, many of whom are also from sub-Saharan Africa. It is vital that Resolution 1973 continues to be implemented in a manner that is proportionate, targeted and avoids civilian casualties.

Reports from Tripoli and elsewhere refer to specifically military targets being attacked and members of the international coalition reportedly rightly turning back from targets when intelligence suggested that Colonel Gaddafi had moved human shields to target locations. After five

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nights of air strikes, a no-fly zone is now in place and Colonel Gadaffi's forces has been repelled from Benghazi. These efforts are not intended to bring about regime change. However, there can be no doubt that Colonel Gadaffi has lost all legitimacy to rule, and there are no circumstances in which one can envisage him or his family continuing to play a political role in Libya. Furthermore, a protracted conflict is not in the interests of the Libyan people, regional neighbours or the international community. The Government calls upon Colonel Gadaffi to order an immediate and genuine cessation of his military offensive. The Government is closely monitoring the upheaval in other parts of the Arab world at present and we will return to those issues again.

My focus as Minister of State with responsibility for trade and development is on the humanitarian dimensions of the crisis. If a ceasefire and peaceful transfer of power can be achieved, the Libyan people will need considerable help to build a democratic administration and society. I look forward to the day when Ireland and the EU, as an immediate neighbour of Libya, can assist it to rebuild the state and move towards a democratic future.

Sitting suspended at 1.50 p.m. and resumed at 3.30 p.m.

Ceisteanna — Questions

Priority Questions

School Staffing

1. **Deputy Brendan Smith** asked the Minister for Education and Skills if the commitment in the Programme for National Recovery Plan 2010 — 2014 concerning additional posts in the education sector will be honoured; and if he will make a statement on the matter. [5639/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I do not propose to give any specific commitment at this point, as it is clearly a matter that I must consider with my colleagues in Cabinet having regard to the position in respect of public service numbers and payroll costs generally. I note that the National Recovery Plan 2011-2014 makes provision for a net increase of just over 2,000 posts across the education sector between the end of 2010 and the end of 2014. The net increase factors in reductions that are being achieved this year through budgetary measures and some additional posts to cater for increasing demographics. Notwithstanding the additional posts for demographics, the recovery plan provides for a net reduction in teacher numbers in 2011. The detail on these measures was outlined in the 2011 budget introduced by the previous Fianna Fáil-Green Party Government. These budgetary measures have been notified to schools and will be proceeding as planned to take effect from September 2011.

The recovery plan also provides for consultation with the education partners on how best to achieve a further reduction in teacher payroll costs from 2012. It envisaged the introduction of appropriate increases in the classroom teacher allocation schedules if the consultation process did not produce alternative feasible measures to deliver the required savings. My Department will be conducting the consultation process over the coming months and I would encourage the partners to identify alternative measures that they believe would be feasible. Therefore, it is prudent not to give commitments at this stage beyond 2011 as to the overall number of posts in the education sector. The Government will endeavour to protect front line education services as best as possible. However, this must be done within the context of bring-

ing our overall public expenditure back into line with what we can afford as a country. All areas of government will need to manage on a reduced level of resources. The challenge will be to ensure that the resources that can be provided are used to maximum effect to achieve the best possible outcomes for pupils.

Deputy Brendan Smith: I thank the Minister for his response. This is my first public opportunity to wish the Minister for Education and Skills, Deputy Ruairí Quinn, and the Minister of State, Deputy Ciarán Cannon, every success with the important work of the Department of Education and Skills.

The programme for Government clearly states that the Government will endeavour to protect front line services. In light of the fact that no reference is made to increasing the numbers working in education to meet demographic demands, namely, the pressure on the pupil-teacher ratio that will result from the requisite creation of new school places, will the Minister commit to supporting the proposal in the national recovery plan to increase the numbers working in education by 2,500?

Deputy Ruairí Quinn: I thank the Deputy for his good wishes, which I appreciate. We must respond to growth in demographics in the context of overall numbers, but I do not want to pre-empt a decision between the Minister for Finance, Deputy Michael Noonan, the Minister, Deputy Brendan Howlin, and myself. The figures have been set out and we intend to proceed on that basis. At the end of 2011, we will review the situation.

Deputy Brendan Smith: The Minister mentioned how all Departments had their overall Estimates reduced. The 2011 provision for the Department of Education and Skills emerged relatively unscathed. Is the Minister committed to the maintenance of class sizes and the pupil-teacher ratio at their current levels and to the employment of primary and post-primary teachers to meet demographic needs? The Minister has only been in office for two weeks, but I assume he can give a clear commitment in respect of the necessary provision of classroom education and front line services.

Deputy Ruairí Quinn: I am committed to maintaining the line established in respect of protecting and ring-fencing the education budget against the background of growing population numbers. However, all of this must be predicated on the reality that we are in a disastrous economic situation, the country is effectively in receivership and we are not in control of our financial affairs. We do not know what is coming down the line in terms of the macroeconomic situation in this country or the rest of Europe. With this caveat, I recognise that the outgoing Administration ring-fenced educational expenditure and I hope to be able to hold that line, but I am not in a position to give a categorical assurance, much as I would like to.

Deputy Brendan Smith: At this early stage, I assume the Minister is in a position to say whether he sees potential within the overall Croke Park agreement to meet efficiencies and achieve progress in this regard.

Deputy Ruairí Quinn: I do. I am pleased to note that the Teachers Union of Ireland, TUI, has endorsed the recognition of the Croke Park agreement in yesterday's results, which were published today. Where the agreement is operational in the secondary sector, some 70% or so of teachers endorse the recognition of the Croke Park agreement as a de facto agreement on the ground.

Special Educational Needs

2. **Deputy Seán Crowe** asked the Minister for Education and Skills if it is his intention to

[Deputy Seán Crowe.]

continue with the cap on special needs assistants for September 2011 leaving new entrants and newly diagnosed children with special needs without SNA support in mainstream classrooms; and if he will make a statement on the matter. [5642/11]

Deputy Ruairí Quinn: The programme for Government clearly states that education will be a priority for this Government and that we will endeavour to protect and enhance the educational experience of children, young people and students. To this end, we will endeavour to protect front line services in education. However, the fiscal position is difficult and the country is effectively in receivership. It is necessary to ensure that educational services are delivered within the resources available. While I intend to prioritise and support special educational services, I cannot revisit the previous Government's decision to place a cap on the number of posts available under the SNA scheme. This number is 10,575 whole-time equivalent posts. It is a significant number and, unlike other areas of the public sector, vacancies are being filled up to this number. It also represents continual increases in the number of SNAs in recent years. It is considered that, with equitable and careful management and distribution of these resources, there should be sufficient posts to provide access to SNA support for all children who require such care support to attend school in accordance with departmental criteria.

The National Council for Special Education, NCSE, is responsible, through its network of local special educational needs organisers, SENOs, for allocating resource teachers and SNAs to schools to support children with special educational needs. The NCSE operates within my Department's criteria in allocating such support. The NCSE has issued a circular to all schools advising of the allocation process for the 2011-2012 school year. A key feature of the amended scheme will be to provide for an annual allocation of SNA support to eligible schools.

My Department and I will be glad to consider suggestions from school managements or parent representative organisations as to how the allocation of SNA resources can best be managed within the context of the established overall limit on SNA numbers. In this regard, I am committed to making whatever improvements are possible to the resource allocation system, but we must understand the legacy of economic mismanagement that the last Government gave to this country.

Deputy Seán Crowe: Ba mhaith liom fáilte a chur roimh an Aire nua agus tá súil agam go mbeidh córas oideachais níos fearr againn. I listened to the Minister's reply carefully. I hope he will show some flexibility in this matter. The difficulty for schools and parents is the arbitrary deadline of 18 March for awarding SNAs. Leaving children who have real needs without the necessary supports is a travesty. Does the Minister agree that the deadline is an arbitrary, misinformed and sneaky method, one that treats enrolments as stopping in mid-air in March when they actually continue until September?

The potential loss of SNAs will see many children falling further behind and a danger of increased levels of suspension and exclusion. Does the Minister accept that the parents of children who are most in need of SNA supports are often the least able to access services? Earlier I received a call from a young mother from my constituency regarding her six-year old child who has a mental age of two. She is trying to get the child into a local school and the immediate problem she faces relates to SNA provision. It is a nightmare for schools but it is a bigger nightmare for parents.

Deputy Ruairí Quinn: I thank the Deputy for his good wishes. I recognise the extraordinary burden that falls on the shoulders of parents who have children with special needs whom they love dearly. I welcome suggestions from school boards of management and parents associations that deal with young people in this category on how best resources can be allocated. The

numbers are fixed. The sooner we can get information into the system in order that management can plan for SNA provision in schools, the better. I am open to, and I invite, suggestions that can improve on what the Deputy describes as “the arbitrary date of 18 March”.

Deputy Seán Crowe: This will inevitably lead to competition, which would be unseemly in the context of children who need this support. Schools will have to decide on which children will receive supports and so on. The difficulty is there is no flexibility between March and September. How can a school plan? What will happen is those children will not be enrolled.

Acting Chairman (Deputy Jack Wall): A question please.

Deputy Seán Crowe: The Minister needs to think again. He said the decision has been made on the basis of available funding but does he not agree that many of the SNAs earn less than €12 an hour? Surely if the Government makes cuts, it should look somewhere else.

Deputy Ruairí Quinn: There has to be a lead in time to prepare for the start of the academic year in September. That is required for consultation, advice and other processes in order that children with special needs are identified and SNAs are matched to them. The date is 18 March but I am prepared to examine this to see if it can be pushed out. I am not fully aware of the constraints but I will consult with those involved, including the NSCE, to make sure we match the school starting date for a child with special needs with an SNA. That requires time and I do not know whether that can be pushed beyond 18 March.

Regional Technical Colleges

3. **Deputy John Halligan** asked the Minister for Education and Skills if the promise in the Programme for Government to explore a multi-campus technical university in the south east means that full university status will not be delivered; and when progress will be made in this regard [5592/11]

Deputy Ruairí Quinn: Policy for higher education needs to be directed at supporting the development of a higher education system of the highest quality and responsiveness in meeting the needs of the 21st century economy and society. One of the major factors associated with the positive performance of higher education systems internationally is institutional diversity.

I agree with the analysis and conclusion of the recently published national strategy for higher education to 2030 that there is no case for the creation of any new universities on the basis set out in section 9 of the Universities Act 1997. However, I also believe that the development of technological universities of equal status and of significant strength and quality, with their own legislative framework and a distinct mission that is faithful to the ethos of the technological sector, would complement our existing universities in meeting the full range of needs of students and wider society. I believe, therefore, that there is strong merit in the development pathway that has been laid out in the strategy for the creation of technological universities. It is important that any process of redesignation would focus on the capacity of amalgamated institutes of technology to meet mission relevant performance demands. Simply relabelling existing higher education institutions is not an option and to do so would do a grave disservice to the reputation and standing of our system and the needs of our students.

The establishment of a technological university will require the enactment of legislation. More immediately, it will also be necessary to publish the detailed performance criteria for a redesignation process and initial work is under way in developing these. I am committed to publishing these criteria at an early stage. An implementation group has been established and a detailed plan for the overall implementation of recommendations in the national strategy

[Deputy Ruairí Quinn.]

report is being developed. I will consider the scope and timeframe for legislative proposals as part of my wider consideration of that implementation plan.

Deputy John Halligan: I thank the Minister for his kind words and I wish him well in the tough job he has in the years to come. I am sure he will do this best.

Four years ago, the former Minister for Education and Science, Mary Hanafin, appointed Dr. Jim Port to assess the case for university status in the south east. Other prominent individuals and organisations such as SIPTU, Dr. Peter Bacon, South Eastern Regional Authority, Waterford City Development Board, Deloitte Consulting and politicians from all parties, in particular, those from Fine Gael and the Labour Party who were in opposition at the time, unequivocally stated there was an imbalance in the region because of the lack of a university. The population of the south east is 450,000. Within a 45 minute radius of WIT, the population is 267,000 whereas within the same radius of Galway, it is 167,000. The critical mass exists in the south east for a university.

According to the latest statistics for entry to third level, the figure for Waterford and the south east is 11.2% as opposed to 15.2% nationally and 22% in Dublin. Surely that highlights the case for full university status. It has been proven that many people who leave their home areas to attend university do not return. Why does the Minister think the south east should be different from the mid-west or the west, which have full universities?

Deputy Ruairí Quinn: I fully understand and sympathise with the sentiments that have been expressed in counties Wexford, Carlow and Waterford regarding the need for a top class third level university. However, that has to be balanced with where we are at the present time. We have seven universities and the Dublin Institute of Technology, DIT. There are 10,000 universities in the world. All our universities and the DIT are in the top 500 universities, which is extraordinary, and two of them are in the top 100. We should learn lessons from what our neighbours in Britain did years ago with the rebranding of polytechnics. Britain devalued the concept of a university by rebranding a host of polytechnics, which are similar to our institutes of technology. That is not the way to go. It would damage the university sector in its entirety to simply change the name of an institute. The Hunt report and the programme for Government have set out a path for a technological university. There are examples of first class technological universities across the world and the one that most easily comes to mind is Massachusetts Institute of Technology, MIT, which is a world leader.

The Deputy is from Waterford and I am aware of the standards that have been achieved in WIT. The institute should play to its own strengths. A path is open to WIT to pursue a technological university structure. There will not be a rebranded university as long as I am Minister. I wish to be honest with Members.

I also congratulate Deputy Wallace on this election.

Education and Training Programmes

4. **Deputy Brendan Smith** asked the Minister for Education and Skills the position regarding the additional training and education places provided for in Budget 2011; and if he will make a statement on the matter. [5640/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): Budget 2011 introduced by the previous Fianna Fáil-Green Party Government contained an additional 15,500 places on three activation employment initiatives aimed at supporting the unemployed. The first of these initiatives was the work placement programme, which was expanded by 5,500 places in budget 2011. This has now brought the total number of places

available to 7,500. Five thousand of the additional places are in the public sector with the remaining 500 places available for graduates in the private sector. The second initiative was the internship development programme. This programme aims to provide up to 5,000 12 month internship opportunities in the private, community and voluntary sectors. To assess potential interest in the programme, FÁS Employment Services last month launched a call for expressions of interest from employers.

The third initiative is called Tús, which is a community work placement initiative for up to 5,000 persons and was launched on 21 December 2010. Tús provides short-term, quality work opportunities for those who are unemployed for more than a year and currently in receipt of a jobseeker's allowance payment.

In addition to these initiatives, in December 2010 my Department launched the Springboard Fund, which is a €20 million multi-annual higher education labour market fund to enable unemployed people access part-time higher education opportunities. The deadline for receipt of applications for funding was Friday, 18 March 2011 and an independent panel will select successful proposals in the coming weeks.

Last December, my Department also launched the redundant apprentice placement scheme, at a cost of €7.3 million, to provide 1,000 places to assist redundant apprentices to progress their apprenticeship training. The scheme commenced in January 2011 and as of 11 March 2011 there were 254 redundant apprentices on the scheme.

These new initiatives are in addition to a total of 464,500 training and education places which are currently available in 2011. Of those, 140,500 are training places, 168,000 are in the further education sector and 156,000 are in the higher education sector.

Our programme for Government commits us to providing additional training, work experience and education places for the unemployed.

Deputy Brendan Smith: I thank the Minister of State for his reply. The Minister indicates in his reply that substantial provision was made in budget 2011 for further education, and training also through different methods including FÁS. The Minister rightly outlined the new additional initiatives announced in that budget including the €20 million multi-annual higher education labour market fund, the expanded redundant apprentice placement scheme, 700 places in institutes of technology for redundant apprentices and craftspersons, 5,000 places on a new skills development internship programme and 7,500 places on an expanded work placement programme. Could the Minister give me an assurance that he and his Department, and the Minister, Deputy Quinn, will ensure that these initiatives are driven forward as quickly as possible to ensure that all places are taken up, that the many unemployed people who are seeking a place on a programme are facilitated and that all of the provision that has been made for 2011 will be availed of?

Deputy Ciarán Cannon: I very much empathise with Deputy Smith's wishes to have these programmes continue and be supplemented by other provisions within the programme for Government. In addition to the provisions I have just outlined we have also committed to creating an additional 60,000 places across a range of education and employment programmes for the unemployed. The programme for Government also states that within the first 100 days of taking office the Government will create a jobs fund which will be used to resource a number of initiatives aimed at stimulating economic growth and employment creation.

Deputy Smith is right in pointing out that this is a serious challenge facing our country. The most recent employment statistics provided by the Central Statistics Office indicate that long-term unemployment accounts for almost 52% of total unemployment compared with just 33% a year earlier. My fear is that the longer one remains unemployed, the more unemployable one

[Deputy Ciarán Cannon.]

becomes. The emphasis in my Department, therefore, will be on providing them with every opportunity we can resource to allow them re-enter the workforce and access the training and upskilling they will require to do that.

Deputy Brendan Smith: I thank the Minister for his commitment to ensuring that adequate provision is made. Both the public and private sectors are too lethargic in availing of these schemes at different times and perhaps the Croke Park agreement could ensure that the block-ages put in place in the past to slow progress in the public service could be availed of also.

Could the Minister let me know if the Department of Education and Skills will have a role in the provision of training when FÁS is replaced by the new national employment and entitlements service?

Deputy Ciarán Cannon: The national employment and entitlements service, which is due to replace FÁS, will be predominantly the responsibility of the Minister for Social Protection. The programme for Government states that the national employment and entitlements service will integrate all employment and benefit support services into a single delivery unit managed by the Department of Social Protection. It will also provide a new one stop shop, as referred to in the programme for Government, for people searching for employment, seeking advice about their training options or establishing their benefit options. To a very large degree the duties currently carried out by FÁS will be subsumed into that new one stop shop service and, consequently, will be the responsibility of the Minister for Social Protection from now on.

Traveller Education

5. **Deputy Seán Crowe** asked the Minister for Education and Skills if he will examine and reverse Circular 0017/2011 with regard to the withdrawal of resource teacher for traveller posts; and if he will make a statement on the matter. [5643/11]

Deputy Ruairí Quinn: The programme for Government sets out that education will be a priority for this Government and that we will endeavour to protect and enhance the educational experience of children, young people and students. To that end, we are committing during the tenure of this Government to improving the co-ordination and integration of the delivery of services to the Traveller community across all Government Departments, using available resources more effectively to deliver on principles of social inclusion, particularly in the area of Traveller education through the DEIS programme.

I do not intend to revisit the decision of the previous Government to withdraw resource teacher for traveller posts. The Deputy will understand that Ireland is effectively now in economic receivership because of the disastrous legacy of the last Fianna Fáil-Green Party Government. The requirements to make expenditure savings and to ensure that staffing numbers remain within the public service employment control framework prevent me from revisiting this decision.

The decision, however, is broadly in keeping with the recommendation in the Report and Recommendations for a Traveller Education Strategy that an integrated, collaborative and in-class learning support system should be adopted for all children, including Travellers, with an identified educational need. The strategy aims to enhance access, attendance, participation and engagement for Travellers and is underpinned by the principles of inclusion and mainstreaming with an emphasis on equality and diversity.

Traveller pupils eligible for learning support teaching will, from the next school year, receive this tuition through the existing learning support provision in schools. All schools should select students for learning support on the basis of priority of need.

I recognise that withdrawing all RTT posts will place a strain on existing learning support services in schools. In recognition of this, limited alleviation measures are being provided to assist some schools that have high concentrations of Traveller pupils and who were previously supported by resource teachers for Travellers.

I want to advise the Deputy that, in respect of the DEIS scheme, Traveller pupils have been included in the valid enrolment for the purpose of allocating additional staffing under DEIS from the 2011-12 school year. The schools involved have already received their staffing allocations for next year.

Deputy Seán Crowe: The Minister might send me a note at some stage on the limited alleviation measures to which he referred.

Would the Minister agree it is unacceptable that one in every ten Travellers who enrolls in post-primary education completes that education but that one in every 100 goes on to a third level programme? No Minister can justify the withdrawal of resource teachers for Travellers at primary level, the withdrawal of teaching hours for Travellers in post-primary education, the withdrawal of visiting teachers for Travellers in September 2011 and the phasing out of senior Traveller training centres in June 2011.

Will the Minister accept the importance of the outreach work by visiting teachers for Travellers, which has led to a significant increase in Traveller participation up to junior certificate level? The role of the visiting teacher service is to break down hostility and suspicion, particularly on the part of people who do not have a tradition of going on to education.

With regard to the cuts in the programme, could the Minister elaborate about the alleviation measures?

Deputy Ruairí Quinn: I will send the Deputy the detailed information he requires. We must assess how effective the allocation of resources was in the past in terms of the outcomes. A task to be carried out within the Traveller community and with the support groups for Travellers is to try to convince Traveller parents of the value of education in the first instance.

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Education starts in the home before young people reach the classroom and staying in the classroom requires the commitment of parents as much as the enthusiasm and dedication of teachers. One cannot work without the other. We are trying to enhance that commitment across a wider range than just Travellers. However, there are outcomes that are unsatisfactory at present and the figures the Deputy quoted indicate that. We will have to try harder. It must be said in all honesty that we must try to achieve more with less. That is the position at present.

Deputy Seán Crowe: What alleviation measures does the Minister propose to introduce for schools with a large number of Traveller pupils, given that the cut in the allocation will lead to a serious loss of staff in these schools? Is it based on the cuts to the education budget being dictated by finance rather than educational need? That is a terrible indictment of our system.

Deputy Ruairí Quinn: I am aware that, for historical reasons, in certain towns in certain parts of the country with settled communities there is a large concentration of Travellers, including in parts of the Deputy's constituency. In a sense, the first step for the Traveller community in maximising educational opportunities for their children is to become settled. That has led, by virtue of the location of those settlements, to high concentrations of Travellers. I do not have the detailed statistics with me to give the Deputy that information but I will write to him. We recognise that some schools have a high concentration of Travellers and that has a knock-on effect both within the Traveller community in the school and within the wider school community. They require additional support. I will send the Deputy the details of that support.

Acting Chairman (Deputy Jack Wall): That concludes priority questions.

Other Questions

Research Funding

6. **Deputy Michael Moynihan** asked the Minister for Education and Skills his intended approach to advanced research in higher education institutions; and if he will make a statement on the matter. [5539/11]

Minister of State at the Department of Education and Skills (Deputy Seán Sherlock): A National Strategy for Higher Education to 2030, otherwise known as the Hunt report, was published in January which set out a vision for the future development and direction of higher education in Ireland over the next two decades. I support the broad analysis of the strategy in recognising the central role higher education plays in economic development and the need for continuing State investment in research activities. As Minister of State with responsibility for research and innovation I will be working closely with the Minister for Enterprise, Trade and Innovation, the Minister for Education and Skills and other colleagues in co-ordinating delivery on the Government's strategic research priorities and in seeking to enhance and support the further development of our research system.

There has been significant investment in research in Ireland over the past decade and we must continue to build on this investment. We need to invest across the full range of disciplines, including the humanities and social sciences, to maintain a broad base of knowledge and capacity, coupled with targeted investment in specific strategic areas of national opportunity. We must continue to encourage our institutions to work together and build critical mass around areas of key strength, and also support better and deeper working relationships with industry.

While our institutions have developed a strong base of research activity, the focus of the next stage in our system's development must be on our ability to maximise the impact of our research results in terms of the commercialisation of that research and its conversion to real sustainable jobs. In this regard, our programme for Government pledges to introduce a number of measures to support innovation and technology development in our institutions, including the establishment of a network of technology research centres which will focus on applied technological research in specific areas.

It is also important to recognise the role research investment plays more generally across higher education. The knowledge created through research and the skills associated with research activities have a direct bearing on the quality of teaching and learning in our institutions and on the formation of our students, both at postgraduate and undergraduate level. All students should have some exposure to the latest research developments, and the connection between the teaching and research missions of institutions must remain.

Deputy Charlie McConologue: I congratulate the new Minister, Deputy Quinn, and the Ministers of State, Deputy Cannon and Deputy Sherlock, on their appointment and wish them well. They will be looking after an important Department and sector over the forthcoming term. Given their capacity and experience, I have no doubt that they are well equipped to deal with it.

Many of the good aspects of our economy at present are the result of investment in education. At 14%, our level of unemployment is at its highest for a long time, but there is also a very high number of people at work compared with ten years ago. The number of people who are working is a positive feature although we must try to ensure we start creating jobs again.

Many of the people who are at work in the economy at present are in jobs which were created as a result of investment in third level education——

Acting Chairman (Deputy Jack Wall): The Deputy should ask a question.

Deputy Charlie McConalogue: ——particularly over recent years. I welcome the fact that the Minister will continue some of the work and investment that has been put into this sector. Will he elaborate on the measures he will take to ensure that the research investment is, in so far as possible, tied in with the companies that will be investing in particular areas to ensure that it generates employment in towns, cities and regions?

Deputy Sean Sherlock: Not only is research covered under the education and skills remit but there is also an important function under the enterprise, jobs and innovation remit. Within that substrata there is a specific remit *vis-à-vis* Science Foundation Ireland, Enterprise Ireland and the programme for research in third level institutions, PRTL. Science Foundation Ireland, SFI, alone has a budget of €160 million for 2011. There is a clear priority. If we are to get people back to work, we must ensure that we maintain the current level of spending within that area in so far as possible so that investment can be maintained. It will thus be possible through SFI, Enterprise Ireland and the research programme to build the synergies with the companies. That is already happening; the model is well established. However, I strongly believe that the Government's job must be to try to grow and deepen that remit and commercialise the research. If we can commercialise the research and continue that model, it will be possible to create more jobs from the third level sector.

Programme for Government

7. **Deputy Brendan Smith** asked the Minister for Education and Skills his priorities for the next three months; and if he will make a statement on the matter. [5536/11]

Deputy Ruairí Quinn: The programme for Government outlines the Government's priorities over the next five years. It has a strong focus on education and skills and sets an ambitious work programme for me and my Department. My core fundamental priority across all areas of education, from early childhood education to training and higher education, is to improve the education outcomes for all our students. This will have to be delivered while recognising the economic reality that the last Government effectively placed this country into receivership, and that we are not in full control of our economic affairs as a nation. It is essential for us as a country, for our economic future and for the life choices of individuals that we change what we do to get radically better quality outcomes for the resources deployed. This is the challenge facing the education sector and me as Minister.

While it is my intention to make progress across the range of Government programme commitments there are a number of specific issues that I wish to see advanced in the short term. Addressing effectively the issues affecting key skills of literacy and numeracy is an essential core of delivering higher quality outcomes and is a major element of our Government programme. It will be a priority in the coming three months.

As part of our overall Government approach to jobs and the prioritising of this in the coming three months, I will have a significant input regarding training and education places and in considering schools capital investment. I also envisage initiating the preparation of a five year plan for educational infrastructure at primary and second level having regard to demographic demands and the need to upgrade existing stock. As part of this work, progress will be made on the inventory of school accommodation. I have already publicly stated my commitment to setting up a forum on patronage and pluralism which will report before the end of the year.

[Deputy Ruairí Quinn.]

Another key area where I expect progress to be made is in the rationalisation of the vocational education committees, and specifically to determine in the coming months the headquarters locations where there are mergers, the titles of the new entities and the changes needed regarding the composition of each VEC. I will also proceed with the amalgamation of the qualifications bodies — the NQAI, HETAC and FETAC.

Deputy Brendan Smith: I thank the Minister for his reply in which he spoke about school accommodation and infrastructure in general. Considerable progress has been made in upgrading and providing new accommodation at primary and second level, as well as at third level in institutes of technology, PLC colleges and universities. The Minister's predecessor, the former Tánaiste and Minister for Education and Skills, Mary Coughlan, published the schools building programme. Will the Minister confirm that this substantial and ambitious programme will be implemented?

The Minister referred to the rationalisation of vocational education committees, VECs. I fully support such rationalisation because there are too many committees. Is it his intention to proceed with this necessary and long overdue measure? If so, does he propose to have the same number of merged entities as outlined by his predecessor?

Deputy Ruairí Quinn: We need greater transparency in regard to the schools building programme. Some 75% of all representations to the Department of Education and Skills, under various Ministers, have been from school boards, school committees, worried parents and others as to where they are in the queue. It is my intention to provide more transparency and clarity so people know what is happening. The current situation is not satisfactory. We are now in a position to build more with less because tender prices have dropped significantly, by some 40%. In other words, with a smaller capital programme we can get good outturns in terms of new buildings and essential repairs. The tragedy is that we still have 50,000 young people in prefabricated buildings, with some schools consisting entirely of such buildings. Too many children go through their entire primary school experience in that environment at a time when there are empty housing estates throughout the State, a legacy of a wasted past. That issue will have to be reviewed.

In regard to the vocational education committees, I will build on the work of my predecessors. The rationalisation of 33 VECs down to 16 is the starting point, and I do not propose to make any significant changes in this regard. Of the 33 VECs, some are very large and some very small, overseeing perhaps one or two post-primary schools and an adult education service. Some of these could be combined in an effective way, and there will be consultations on that before I take action. I have met with the Irish Vocational Education Association and have requested that it indicate whether it has an alternative variation which nevertheless has regard to the necessity to obtain annual savings on a recurring basis of €3 million within the framework of 16 or so VECs.

Deputy Brendan Smith: Does the Minister agree that the devolved programme, summer works programme and contingency programme have been very successful? I have seen schools in my constituency transformed by small amounts of grant aid. I urge the Minister to ensure these programmes are continued because they have given good value for money.

Deputy Ruairí Quinn: I agree with the Deputy and we will try to do that this year.

Deputy Peadar Tóibín: Gabhaim comhghairdeas don bheirt Aire, is mór an onóir é dóibh ach is mór an dúshlán é freisin. There has been a serious lack of investment by the State in education in recent years. Out of 31 OECD countries, Ireland is fifth from the bottom, with a

below average investment. We cannot build a knowledge economy if we rip funds out of the education system. It is ominous and disheartening that the buzzword during the election was “change”, yet ministerial statements seem often to be prefaced with an indication that decisions by the last Government will not be revisited. That is an incongruous position.

There is a large number of schools in Meath, both primary and secondary, that are operating in premises that were built at the start of the last century. Children are trying to learn in cramped conditions with poor heating. There are four secondary schools in Navan——

Acting Chairman (Deputy Jack Wall): Does the Deputy have a question?

Deputy Peadar Tóibín: Yes, I am getting to it. All four secondary schools in Navan are currently full and children are being sent to towns 15 and 20 miles away. Is it a priority for the Government to resolve these immediate issues this year?

Deputy Ruairí Quinn: Yes, it is, and we will have to be innovative in how we do it. Taking Navan as an example, we will have to undertake some type of inventory to ascertain the education infrastructure in the whole of Navan, irrespective of which school has what, and devise an holistic overview so we can maximise the utilisation of those resources for the 21st century rather than the 18th or 19th century when there were different teaching orders and different social hierarchies which are no longer relevant. We will have to think in a radical way that was not seen before, and I intend to lead that review.

Special Educational Needs

8. **Deputy Mary Lou McDonald** asked the Minister for Education and Skills when he will publish the plan for the implementation of the Education for Persons with Special Educational Needs Act; and if he will make a statement on the matter. [5506/11]

Deputy Ruairí Quinn: The programme for Government sets out that education will be a priority for this Government and that we will endeavour to protect and enhance the educational experience of children, young people and students. To that end, we are committing, during the tenure of this Government, to the publication of a plan for the implementation of the Education for Persons with Special Educational Needs Act 2004 in order to prioritise access for children with special needs to an individual education plan. The priority will be to move to a system where necessary supports follow a child from primary to second level and to achieve greater integration of special needs-related services.

Several sections of the Education for Persons with Special Educational Needs Act have already been commenced, principally those establishing the National Council for Special Education, NCSE, and those promoting an inclusive approach to the education of children with special educational needs. As required under the Act, the NCSE provided a report making recommendations regarding the implementation of the legislation which suggested additional investment over a period of years of up to €235 million per annum across the education and health sectors. My Department’s opinion is that the level of investment required would be greater than that envisaged in the NCSE report. In the light of the very difficult economic situation, and these significant costs, the previous Government deferred the full implementation of the Education for Persons with Special Educational Needs Act.

However, it is my intention to examine the legislation in order to prepare a plan to implement the Act in line with the programme for Government, subject to the serious financial constraints we have inherited from the previous Fianna Fáil-Green Party Government. All parts of the legislation that have not been commenced to date will be considered during this process. Commencement of individual aspects of the legislation in isolation is difficult because of linkages

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across the various sections. Given the extent of the considerations required as well as requirements to consider a number of other priority policy areas in regard to the education of children with special educational needs, it is not possible at this point to advise a date for the publication of this plan.

Deputy Seán Crowe: This issue was put on the long finger by the last Government and the Minister's reply, instead of offering succour, merely refers to resources. The delay in implementation may save money but it will affect the livelihood and prospects of children who will not be assessed and must go without resources. The last Government was subject to severe criticism on this matter. I ask the Minister to look at this again. The delay is saving money but it is also affecting the most vulnerable in society.

Deputy Ruairí Quinn: I appreciate the Deputy's remarks, and I should have congratulated him on his return to the House earlier. We must find ways to do more with less, that is where we are. If the Deputy has any suggestions in that regard, I would happily entertain them. We are in a new place and I would be misleading Deputy Crowe and every other Member of the House if I suggested otherwise.

Deputy Seán Crowe: We will not get into a debate on default and the debt we face. I remember discussing the EPSEN Act in this House and the major worry expressed by all the groups that appeared before the then Committee on Education and Science was the resourcing of the system. The Minister at the time promised resources would be in place but we know that families are coming forward having faced the reality of the situation. The hope that existed for many families has disappeared because help still appears to be out of reach.

Deputy Mick Wallace: I also congratulate Deputy Quinn on his new role. Having observed politics for 35 years, I have noticed that when a person gets the Minister for Education and Skills post, he was often looking for a better job. I believe, however, it is the most vital post in the Government. I am optimistic Deputy Quinn will recognise that and treat the job the way it should be treated.

I was asked to visit a national school in Clonroche in County Wexford on Monday and I was shocked by the story I was told. The school has only 110 children but 28 of them needed a learning support teacher and a further 23 children were members of the Travelling community. Support teaching posts for these are now being amalgamated. Previously the school had two and a half teachers, meaning it shared a teacher with another school, but this number has now been reduced to one teacher. Not only does this mean learning support will be confined to the children from the Travelling community, because they are the lowest achievers in the school, many children will suffer, not just those getting learning support but every child in the school.

I realise the Minister has been dealt a poor hand but does he agree that research shows every euro spent on a child before he is seven, saves the State €7 before he is an adult? It makes so much sense to invest in children and of all the areas that are being this must be the last. It will be detrimental to society if we ignore these children and any cuts in the area will come back to haunt us.

Deputy Ruairí Quinn: I thank the Deputy for his question, his comments and his good wishes. I recognise in the presence of Deputies Smith and McConalogue that the previous Government ring-fenced the education spend but we have a growing population, with 500,000 in the primary school sector at present and that figure could increase to 560,000 within a few years. We are running to stand still in terms of resources. I will look at individual cases but I do not want to mislead anyone about the current position.

Literacy Levels

9. **Deputy Sandra McLellan** asked the Minister for Education and Skills when the national literacy strategy for children and young persons will be developed; when it is expected to be rolled out; when will every school be required to have a literacy action plan; the supports that will be made available to schools; and if he will make a statement on the matter. [5508/11]

Deputy Ruairí Quinn: A key commitment of the programme for Government is the development and implementation of a national literacy strategy which includes the production of literacy action plans by schools, with school level targets linked to national targets.

The Department is currently undertaking a public consultation process on a draft national strategy on literacy and numeracy covering the period up to 2020. There was a very strong response to the request for submissions up to the deadline of the end of February. In excess of 460 written submissions were received and these are being examined in detail. In parallel, focused consultation meetings are being held with groups of key stakeholders. Implementation will require a sustained commitment from schools and other stakeholders and I want to ensure that their input is considered in finalising the strategy.

Targets and timescales for the implementation of various aspects of the literacy strategy will be set out in the finalised strategy, following consideration of the submissions and meetings with key stakeholders. Consultation meetings will conclude in early May and the strategy will be finalised without delay. In parallel with the preparation of the strategy, preparatory work for implementation is taking place in the Department and its partner agencies.

We must ensure that all our young people have levels of literacy and numeracy that equip them to avail of further education and to engage fully as adults in society and in the economy. The very disappointing and worrying declines in the performance of Irish 15 year olds on PISA literacy and mathematics tests between 2000 and 2009 point to the urgent need for us to improve the literacy and numeracy standards of our students. It is my intention that the literacy and numeracy skills of our students will be improved very significantly so that the declines of recent years can be reversed and Irish students will again be among the best performing groups internationally.

Deputy Seán Crowe: Many schools are worried this is another plan that will lead to more tinkering with the system. The role model system, however, has worked, particularly if it involves a parent and the necessary resources are put in place. A family with a literacy problem will not have any books or magazines in the House so if a parent goes back to education and we support him or her, that will bring the standard of the children's literacy up.

Is there a timescale? Many schools are worried about tinkering with the system but the Minister is right about numeracy and mathematics. The OECD figures state we are doing well with literacy levels but we have so many young people leaving school unable to read and write. How can we resolve that situation?

Deputy Ruairí Quinn: I welcome the Deputy's comments and his clear knowledge of the scale and extent of the problem. Literacy starts at home. By the time a four year old arrives in junior infants, outcomes in literacy have already been significantly determined by the commitment of parents, no matter what class or socioeconomic group. A child who is not read to when going to bed at night is an abused child. If a home does not cherish literacy, it is a form of abuse. I was the first Deputy to raise concerns that our so called "wonderful" education system was not delivering.

Everyone has a role to play. Deputy Aodhán Ó Riordáin, as a principal of a primary school in the inner city in Dublin was the first to highlight the need for a right to read programme. I

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will be looking at that not to scapegoat teachers or schools, because we are all failing, as parents, society and families, and we must find a way collectively to deal with the issue. We also need within the fixed timeframe of the school curriculum, at primary level in particular, a return to the basics. We must empower teachers to give time, with parents, who play a key role in this, to this area. A middle class child from a committed family arrives in school at four years of age with a vocabulary that is twice that of a child from a disadvantaged family. The electronic media has reduced the necessity for reading as a form of entertainment so we must get out of this. A working class boy who leaves school at 15 unable to read or write is destined to a future of intermittent employment and possibly crime, and we are all aware of the consequences of that.

Deputy Brendan Smith: The Minister may have pre-empted me when he said a revision of the curriculum is necessary to ensure literacy and numeracy skills are adequate for primary school going children.

Deputy Ruairí Quinn: It is my intention to devolve back to principals more autonomy and independence to do what they consider to be best. It is wrong that we have 3,200 primary schools stretching from the Aran Islands to the inner city of Dublin, or disadvantaged rural areas in Border counties with a one size fits all curriculum, with little discretion for the principal. In the context of resources and in terms of emphasis within the constraints of the primary school curriculum — which is a good model — we will provide greater autonomy to principals and their teachers and assistant teachers to try to obtain the outcomes we require. We need to focus on literacy in a way we have not done heretofore.

We were given a wake-up call in the form of the results from the PISA tests. We do not have the best education system in the world, far from it. We are currently in the third division but we want to return to the first division.

Pupil-Teacher Ratio

10. **Deputy Pearse Doherty** asked the Minister for Education and Skills his plans to halt the proposals to increase the pupil-teacher ratio in Gaelscoileanna to that of English-medium schools; and if he will make a statement on the matter. [5512/11]

Deputy Ruairí Quinn: The standardisation of the staffing schedule for gaelscoileanna so that it is the same as that which applies to primary schools in general is one of a number of measures in Budget 2011 to control and reduce teacher numbers. These changes will take effect from September next. Given the legacy of economic mismanagement on the part of the outgoing Fianna Fáil-Green Party Government and the financial constraints that currently apply, it is not possible to reverse these changes.

The changes to which I refer will result in a reduction of the order of 50 posts in gaelscoileanna. There are currently more than 1,500 teaching posts in these schools. The impact at individual school level is determined as part of the allocation process for the 2011-2012 school year and schools are being notified in the normal manner.

The Government will endeavour to protect front-line education services as best as possible. However, this must be done within the context of bringing overall public expenditure back into line with what we can afford as a country. All areas of government, including that which relates to gaelscoileanna, will be obliged to manage on a reduced level of resources. The challenge will be to ensure that the resources that are being provided will be used to maximum effect.

Deputy Peadar Tóibín: Is mór an trua é go bhfuil an chóimheas á athrú. Tá dúshlán uafásach deacair ag múinteoirí gaelscoile agus an teanga á oiliúnt acu. Tuigim go ligfí 24 múinteoirí a bpoist. Ceapann muintir na Gaeilge timpeall na tíre go bhfuil stádas na Gaeilge ag laghdú. Roimh an toghchán, dúirt Fine Gael go rabhadar chun stádas na Gaeilge a íslú ón áit lárnach atá aici san ardteist faoi láthair. Cad iad tuairimí an Aire i dtaobh an Ghaeilge san ardteist? Ceapann Sinn Féin gur chóir go mbeadh an Ghaeilge riachtanach san ardteist.

Chuir an sean-Rialtas bac ar gaelscoileanna nua timpeall na tíre. Tá Gaelscoil Ráth Tó i mo dháilcheantar ag feidhmiú gan aitheantas ón Rialtas. Tá an gluaiseacht gaelscolaíochta mar cheann de na beagán tionscnaimh iontacha rathúla ó thaobh athbheochan na teanga de. Caithfidimid níos mó tacaíocht a thabhairt do ghaelscoileanna. An bhfuil an Rialtas sásta aitheantas a thabhairt do ghaelscoileanna nua? An bhfuil an Rialtas sásta áit lárnach agus riachtanach a thabhairt don Ghaeilge san ardteist?

Deputy Ruairí Quinn: Gabh mo leithscéal, ach níl Gaeilge maith agam. In that context, I am not sure if I understood everything the Deputy said. It is a reflection on the education system, in which I spent 14 years, that I can speak a number of languages other than English but that Irish is not one of these. My father was a fervent Gaelgóir and I was not, therefore, raised in a home that was hostile to the language.

The status of Irish as a compulsory examination subject — as set out in the programme for Government — will remain. We must face up to the fact that many children who commence school with a positive attitude toward Irish do not, for reasons I do not fully understand, retain that attitude. We must examine why that is the case. We must consider, for example, the amount of time teachers spend teaching Irish relative to and in the context of the outcomes achieved and the ability of young people to speak the language in an enthusiastic fashion. We must approach this issue honestly.

Bringing the pupil-teacher ratio at gaelscoileanna into line with that which obtains in other schools is a consequence of the necessity to spread the reduction in resources as equitably as possible across the system. It would be intolerable that a gaelscoil might, by virtue of its status, have a different pupil-teacher ratio to that which obtains in an ordinary school.

Deputy Peadar Tóibín: We refer to gaelscoileanna separately because they face different challenges. That is why, historically, the pupil-teacher ratio at these schools has been different. Gaelscoileanna teach a language which often is not the native language spoken by individual pupils. I am sure the Minister will agree that the gaelscoileanna movement has been one of the most successful mechanisms utilised in the effort to keep the Irish language alive and to develop it. Unfortunately, the previous Government put a stop on recognition of new gaelscoileanna. If it means business with regard to the Irish language — and I hope it does — will the new Government remove this?

Deputy Ruairí Quinn: I am conscious of the commitment and enthusiasm of parents, teachers and support groups for the gaelscoileanna movement. However, that movement really caught hold at a time when we believed we had one of the best education systems in the world and when our English language schools were ranked fifth in terms of literacy and numeracy. We have slipped down drastically when it comes to that league table and this is a matter which must be addressed.

I have an open mind on recognition of An Foras Pátrúnachta and new gaelscoileanna. I am particularly conscious that, for reasons of educational politics at ground level rather than attitudes in Marlborough Street, Coláiste Chill Dara, which has five or six feeder schools at primary level, was denied official and proper recognition. Where a demand for a gaelscoil can be shown and proven and where there is a consistency of supply, then the equality of recognition at

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second level is something to which I am well disposed. I believe in pluralism within our education system and in providing choice, where possible, within the constraints relating to resources.

School Size

11. **Deputy Robert Troy** asked the Minister for Education and Skills his policy in relation to small rural schools; and if he is committed to retaining same [5544/11]

Deputy Ruairí Quinn: Ireland has a high proportion of primary schools relative to its population. It also has a high proportion of small primary schools. The majority of small primary schools are situated in rural locations. A review was initiated in October 2010 by the then Fianna Fáil-Green Party Government to establish the value for money being achieved from State funding of small primary schools. This value-for-money review is part of the normal review processes undertaken by Departments on an annual basis on selected areas of expenditure. The current review is particularly focused on the smallest category of schools, namely, those with fewer than 50 pupils. The terms of reference for the review are published on my Department's website. Among other things, the review seeks to examine the scope for alternative policy or organisational approaches to improve efficiency and effectiveness of provision in terms of school size, identify potential implications of such alternative arrangements and make recommendations as appropriate.

I do not have a predetermined view on the outcome of the review. Educational quality for the pupils must be one of the main criteria in any consideration of primary school size and organisation taking into account the needs of local communities and wider social and cultural factors. Decisions on school provision and reorganisation must be widely perceived to be cost-effective, equitable and reasonable. These decisions need to be based on a rigorous evaluation of requirements and needs, not just at local level but at regional and national levels.

The review should be completed by the end of this year and I plan to consider its outcomes when they are finalised. My consideration will take place in the context of the resources available to the Department and the other factors I have already outlined.

Deputy Robert Troy: I thank the Minister for his reply. I am a past pupil of a one-teacher rural school in County Meath. I had the same teacher from junior infants up to sixth class. As a result, I am well aware that the level of education provided at the type of schools to which I refer is of a high quality. I left primary school in 1996. The school I attended has now become a two-teacher mainstream school and has a resource education special needs assistant and secretarial support. A large amount of money has been invested in this state-of-the-art school. I merely use this school as an example. Many schools in my constituency and others could tell the same story.

There is great anxiety and worry among parents and staff about the current review process. I acknowledge that the process began prior to Deputy Quinn's time in the Department but that does not diminish the worry and anxiety felt. When will the Minister come back to the House, and to the parents and staff of the schools? Can we have a commitment that no two-teacher school will be closed in the future? These schools are important for the education of children and the fabric of rural society. Will the Minister promise that no two-teacher school will be closed and give a timeframe for his report to the House?

Deputy Ruairí Quinn: The timeframe is the end of this year when we get the result of the value for money review. It is, literally, a value for money review and nothing else. There is no prejudice on my part. I am open to all suggestions. The famous Stanley letter of 1831 laid the foundations of primary education in Ireland. At that time there were no cars, transport was by

foot and the rural population was enormous. Very few, if any, young people would now be allowed by a responsible parent to walk to school in rural Ireland, for fear of being run over by a boy racer or by an articulated truck. We must look at what we have.

I regard the school buildings as educational infrastructure which could, perhaps, be used in a different way. I will be guided by community leadership at local level. Marlborough Street does not have all the answers. We will depend on and listen to constructive and positive responses when we see the value for money review.

Deputy Brendan Smith: I endorse the words of my colleague, Deputy Robert Troy, regarding the great development of many small rural schools. The Minister for Education and Skills is familiar with my own county, stretching from Mount Nugent in east Cavan to Blacklion in west Cavan. In the past number of years, I have seen a huge transformation in small rural schools. They are a focal point in our communities.

The Minister mentioned the need for flexibility in applying the curriculum. When I visit these schools I see the extra-curricular activities and the flexibility that is applied within the curriculum process by the teachers and their support staff. We should tread very carefully if we are to remove small schools from Irish society.

Deputy Charlie McConalogue: I want to comment on the importance of one and two-teacher schools, particularly in rural areas, and endorse what my colleagues, Deputies Robert Troy and Brendan Smith have said on this issue. I am concerned by the Minister's comments about using school buildings for other purposes. That might indicate that the Minister is considering closing some of those schools.

The Minister said the value for money review is being undertaken in the normal course of events. I have no objection to seeking to get the best value for money. However, we cannot consider the closing of one and two-teacher schools. I ask for a commitment from the Minister that no school will be closed during his tenure as Minister for Education.

Deputy Robert Troy: The Minister said the review process will include the input of boards of management and local people. In that case, why did boards of management and school staffs not receive notification of the review. No school was written to or asked for input. They learned of the review through the Department's website. I know of one school that would have missed the deadline for its submission were it not for the involvement of a teacher in the Irish National Teachers' Organisation. Why did the Department not write to each school that was concerned in the review process? This should have happened.

Deputy Ruairí Quinn: I do not know the answer to that question. The decision to initiate the process was made in October of last year. The deadline for submissions was in February. I do not know what was the form of communication. I presume it was the website, but I will find out for the Deputy.

I have no preconceived ideas about rural schools. We want to see what the value for money is. In other parts of the country, specifically in parts of County Cork, there is clustering of schools where all the school buildings are used for educational purposes but they, perhaps, share a secretary, have a single board of management or combine existing resources to maximise educational outcomes. Some of these school buildings originated in 1910 or 1920, when rural Ireland was a different place from what it is now.

I have no bias against rural schools whatsoever. We have a growing population. However, I cannot give Deputy McConalogue a commitment that there will be no such decision until we see the outcome of the value for money review.

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) Deputy Bernard J. Durkan — the refusal, on appeal to grant job seeker's allowance to a person (details supplied) in County Kildare; (2) Deputy Charlie McConalogue — the need to have the decision to shelve the building of a new radiotherapy unit at Altnagalvin Hospital, Derry, which was due to service the north west region, reversed; (3) Deputy Thomas P. Broughan — the need to ensure funding for Metro North throughout 2011 and 2012; (4) Deputy Joe Costello — the need to ensure that the Lighthouse Cinema, Smithfield, Dublin 7, remains open.

The matters raised by Deputies Bernard Durkan, Charlie McConalogue, Tommy Broughan and Joe Costello have been selected for discussion.

Adjournment Debate

Social Welfare Appeals

Deputy Bernard J. Durkan: I thank the Ceann Comhairle for allowing this matter to be taken on the adjournment this evening. It is unfortunate that I introduce a subject of this nature so early in the new Dáil session. I attribute no blame to the new Minister for Social Protection, Deputy Joan Burton, or to the Minister of State, Deputy Kathleen Lynch, who I congratulate on their elevation to office. I wish them both many years of success answering similar questions in the House.

A person in my constituency, who originally came from Donegal, was awarded jobseeker's allowance, allegedly in error. The lady in question has a husband, who is unemployed, and two children. They have serious debt problems, as have many other people in the country. They have no means of subsistence other than the jobseeker's allowance, which it is claimed was awarded in error.

A strange thing occurred during the recent general election campaign. An oral hearing was held in Tullamore, County Offaly. Evidence was submitted to the hearing by the applicant, and the Department appealed the decision to grant the allowance on the grounds that it was made in error. I take strong exception to the decision made at the oral hearing. Soon after the hearing the lady was informed that her assets were sufficiently large to deem her ineligible for jobseeker's allowance. The ineligibility was based on alleged assets of €148,000, which was the estimated value of approximately 14 acres of bogland in a remote part of County Donegal. I mean no disrespect to Deputy McConalogue or to my colleagues from County Donegal. Suffice to say the land was not on a main road leading to anywhere, was not near a financial services centre and did not have road frontage. It was nothing more than bogland with access to commonage for the owner and 20 or 30 other people.

A valuation was previously carried out by an auctioneer and valuer for the purpose of obtaining a loan and, of course, the details differ in such a situation, which is how the figure of €148,000 arose, with no disrespect to the auctioneer and valuer. In my opinion, however, the land is worth nothing in the present climate. I offered to visit Donegal with the investigating officer to see for myself what exactly the property is worth. My claim is that it is worth nothing or, if it was saleable and was put on the market at present, it might make up to €20,000. However, there might be no offers, as with many other properties.

I would be grateful if the Minister would give me an opportunity to meet the relevant officer onsite. I am happy to travel that distance to prove a point, as the Minister herself would do

and has done on many occasions in similar situations, as I believe a grave injustice has been done to this lady, who is now my constituent. As I have said, this family are in dire straits. They have no resources and no income from any source, good, bad or indifferent, and are likely to require serious discussions with their banks in the immediate future.

I thank the Minister for dealing with the debate. I would be grateful if she could facilitate a review.

Minister for Social Protection (Deputy Joan Burton): I am aware Deputy Durkan personally attended the appeal in this case. The matter arises from the review of a jobseeker's allowance claim in July 2009. The claimant was assessed with the capital value of farmland which she owns in Donegal and which she is neither using personally nor leasing to anybody else. She was assessed with weekly means of €570 based on the capital value of the farm. As her means were in excess of the statutory limits for receipt of the jobseeker's allowance, her claim was disallowed with effect from 12 August 2009.

She appealed this decision to the social welfare appeals office and her appeal was heard by a social welfare appeals officer on 15 February 2011. The appeals officer, having considered all the available evidence, disallowed her appeal after conducting an oral hearing.

Payment of jobseeker's allowance is subject to, among other things, the condition that the claimant must satisfy the means criteria. The rules as to calculation of means are set out in the relevant social welfare legislation. This legislation provides that, in assessing the means from property, land is assessed on its capital value basis where the claimant owns or has a legal interest in the land, and is not resident on the land; is not personally using the land; and legal possession of the land has passed to the person leasing the land so that the claimant cannot repossess it while the person leasing the land continues to fulfil the conditions of the lease. In this case, the person owns the land but is not leasing it on an 11-month lease. Consequently, it is assessed under the rules on its capital value.

The claimant put the farm up for sale and the asking price by her auctioneer was €175,000. The social welfare inspector who investigated the means for the review took the certified value of the land as set out by the auctioneer. The amount of means assessed from the property is €570 per week which is in excess of the statutory limits for receipt of jobseeker's allowance and her claim was refused on 12 August 2009.

While a formal decision issued to her advising that her claim had been disallowed, an administrative error was made in recording this decision. She was inadvertently paid jobseeker's allowance, equivalent to the full personal rate, qualified adult rate and two child dependants from 12 August 2009 to 15 February 2011. The claimant appealed the decision to disallow her claim to the social welfare appeals office. The Department submission and papers were sent to the social welfare appeals office on 15 August 2009. There was an oral hearing of the appeal on 11 February 2011 by the appeals officer. The appeals officer, having considered all the available evidence, disallowed the appeal.

As Deputy Durkan is aware, the person concerned applied for and is currently in receipt of supplementary welfare allowance since the stopping of the jobseeker's allowance payment, and this is now being investigated.

Hospital Services

Deputy Charlie McConalogue: I thank the Ceann Comhairle for allowing discussion of this important matter for the people of the north-west region, in particular Donegal, which I represent. It is an issue of which members of the public, in particular those who may have a relative who has suffered from cancer and needed radiotherapy services, are only too aware.

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To have to travel to either Galway or Dublin, as is currently the case, is simply not an acceptable situation for patients coming from Donegal and the north-west region.

In recognition of this issue, a decision was taken by the previous Government to come to an agreement with the Northern Executive to have a radiotherapy unit built at Altnagelvin Hospital in Derry. This was on the basis that the Irish Government would contribute to and be a partner in the building of that unit, and would put in place a service agreement in order that patients from the Republic would use the service until 2020. Given the Northern Executive signed up to this agreement with the Irish Government, for the Northern Minister, Mr. McGimpsey, to yesterday unilaterally announce he was not proceeding with the building of this radiotherapy unit is unacceptable.

Why did the Minister, Mr. McGimpsey, make no advance contact with the Department of Health and Children in the Republic to inform it of the situation? How can one enter an agreement and a partnership with others to take a particular course of action and then, without consultation, simply reverse that position? I am disappointed the Minister for Health and Children, Deputy James Reilly, has not taken the time to come to the Chamber today to account for this. Has the Minister of State, Deputy Kathleen Lynch, who is present, or the Minister, Deputy Reilly, had contact with the Northern Minister, Mr. McGimpsey, in this regard? Have they had contact with the Northern Ireland First Minister or Deputy First Minister?

It is not acceptable that the Northern Executive would act in this manner and in such bad faith with the Executive here. It is very important the new Ministers are not soft in this regard. They should not accept this or agree to discuss it down the line. A clear message must be given that this type of action will not be tolerated because it will not just be in regard to cancer services, on which there is current co-operation. There is also cross-Border co-operation in regard to, for example, the construction of the A5 Derry to Aughnacloy road, on which there is agreement between the Northern Executive and the Irish Government. If this is how the people of the north west are to be treated in this situation, it bodes ill for cross-Border co-operation in the future.

There has been much recent investment in Letterkenny General Hospital, particularly in regard to symptomatic breast cancer services, with Letterkenny General Hospital acting as a satellite centre for Galway hospital, so patients in the north west can get the same level of service as they would if they presented in Galway itself. We need to expand this to ensure the investment made in symptomatic breast cancer services and other services in Letterkenny General Hospital is maintained and developed in these difficult times, and also that the service is expanded through the provision of a radiotherapy service in the north west.

I ask the new Government, as a matter of urgency, to contact the First Minister, the Deputy First Minister and the line Minister, Mr. McGimpsey, MLA, on this issue and immediately put in place a timeline to ensure radiotherapy services are developed in Altnagelvin, that the new unit is built and people from County Donegal and the north west region get acceptable access to the radiotherapy and comprehensive cancer services they require.

Minister of State at the Department of Health and Children (Deputy Kathleen Lynch): I thank Deputy McConalogue for raising this important issue. I apologise on behalf of the Minister for Health and Children, Deputy Reilly, who had a prior engagement and therefore I am taking this Adjournment matter on his behalf.

I welcome the opportunity to address the House on this issue. The Government is committed to ensuring a high-quality radiotherapy service for the entire population of Ireland and this includes close collaboration with Northern Ireland for services in the north west. Yesterday, the Minister, Deputy Reilly, wrote to his counterpart Minister in the North, Mr. Michael

McGimpsey, MLA, to reaffirm this commitment to the Altnagelvin project and to confirm the substantial capital and revenue contribution already promised in respect of radiotherapy patients from the South. On average, approximately 24,000 new cases of invasive cancer, including non-melanoma skin cancer, are diagnosed in Ireland each year. Current trends indicate that the number of cancers diagnosed each year is likely to double in the next 20 years. It is against this background that the HSE's national cancer control programme is being implemented. Its goals are better cancer prevention, detection and survival through a national service, based on evidence and best practice. Part of the programme is the implementation of the national plan for radiation oncology which would provide the national infrastructure for radiation oncology for around the next 25 years and beyond.

Phase 1 of the plan involves the construction of new facilities at Beaumont and St. James's hospitals, with four linear accelerators in each. These new centres have just been completed and will become operational in coming weeks. The two facilities, together with St. Luke's Hospital in Rathgar, now form the St. Luke's Radiation Oncology Network for Dublin mid-Leinster and Dublin north east, increasing the capacity in that region by 50%. This network, together with facilities at Galway University Hospital, Cork University Hospital and services provided under service level agreements with the Whitfield Clinic in Waterford and the Mid Western Hospitals Trust in Limerick will provide sufficient capacity to deal with patient needs until at least 2015. Phase 2 of the NPRO will provide additional radiation oncology capacity at St. James's and Beaumont hospitals, Cork University Hospital and Galway University Hospital, with satellite centres at Limerick Regional and Waterford Regional hospitals.

For patients in the north west, however, the Minister recognises there are particular geographic concerns that need to be addressed. For that reason, he believes that the best option in terms of improving geographic access for these patients to radiotherapy services is to facilitate access to services as part of North-South co-operation on cancer. This approach includes access in the short-term to services at Belfast City Hospital under a service level agreement which has been in place since 2006. We will also continue to progress the proposed joint initiative at Altnagelvin. Given the proximity of Altnagelvin to many areas of County Donegal the centre provides the optimum solution for Donegal patients. The Director of the national cancer control programme agrees that the Altnagelvin development will provide a cost-effective, patient-centred solution to the provision of radiotherapy for Donegal patients who, as the Deputy noted, currently travel long distances to either Galway or St. Luke's in Dublin for treatment.

The Government is committed to working in partnership with our Northern Ireland counterparts on the development of this new facility. It is estimated that Irish patients will comprise roughly one-third of the number of patients who will attend the new centre for radiotherapy services and, therefore, our contribution will equate to approximately one-third of the full cost of the radiotherapy facilities. The HSE's national cancer control programme has nominated relevant experts to the project's working groups and the Minister knows progress is being made in agreeing the clinical output specifications for the project. The proposed development at Altnagelvin is substantial in scale, with high capital and revenue costs because of the highly specialist and complex nature of the services which will be provided. The Minister recognises the matter is being brought forward through the usual business case process within the Northern Ireland health services and my Department will continue to provide all the information needed to help the planning process to continue.

The Minister is happy to reaffirm the Government's commitment to this vital radiotherapy project which will benefit cancer patients on both sides of the Border. I reiterate he has written to the Minister, Mr. McGimpsey, MLA, confirming our support, both practical and financial, in this regard. In the knowledge that up to 50% of patients may need radiotherapy at some

[Deputy Kathleen Lynch.]

time during their cancer journey and that the number of cancer patients will double over the next 20 years, we need to plan now for effective treatment so that patients can avail of appropriate treatments in the future. The Minister looks forward to continued collaboration on this and other projects of benefit to patients in both jurisdictions.

The Deputy can be assured of our commitment to the project. No later than yesterday, the Minister was in touch with the relevant Ministers in Northern Ireland.

Rail Network

Deputy Thomas P. Broughan: Metro North is the long proposed, 18.8km part-underground system from Dublin city centre to Swords via Dublin Airport and it is critical for developing fixed-line connectivity in the greater Dublin area and the important, growing urban region of Swords. Therefore, at the start of the 31st Dáil, it is crucial to reiterate the Labour Party's and this Government's commitment to delivering this wonderful commuter rail project. It is the case that the vast bulk of the projected €34 billion Transport 21 expenditure has been spent on road projects to date, with very little on public and commuter transport.

Metro North is an exciting and much welcome development for my constituency, as it is for the Minister's, and for the whole of the Dublin and mid-Leinster region. It will also form part of a crucial new commercial corridor across Dublin's northside. Fingal County Council, in evaluating and supporting the project, has already published an impressive document, *An Economic Development Strategy for the Metro North Economic Corridor*, with a comprehensive plan for the economic and social development of all the Metro North area. Many business leaders in Dublin and Leinster have also been supportive of the project because of the infrastructural enhancements it will provide and its positive economic impacts. In addition, I understand that the cost benefit analyses of Metro North that were undertaken by the RPA and all five of the original bidders were very positive. The Government will shortly produce a jobs budget. In addition to enabling jobs in 2011 and 2012, Metro North will provide a desperately needed 7,000 construction jobs each year and up to 14,000 jobs in the wider economy. In general, previous research by the ESRI stated that in the long run GNP increases by €0.4 billion for every €1 billion spent on infrastructure.

Again, I congratulate Mr. Frank Allen, the chief executive of the Railway Procurement Agency for his and his staff's ongoing successful management of this project which culminated in the granting of permission for Metro North by An Bord Pleanála last October. An Bord Pleanála's railway order for Metro North did not accept proposals for a depot and ancillary facilities at Belinstown and a proposed line and stop at Lissenhall and these will necessitate a further planning application. In its judgment, however, An Bord Pleanála outlined a comprehensive series of proposals to accompany the Metro North project in order to address the serious concerns of local residents and small business people on the route. These included many proposed environmental and mitigation measures.

The planning permission for the key components of the project are in place and I understand there are two final bidders for Metro North, namely, Celtic Metro Group and the Metro Express consortia. A final decision on the successful bidder is to be made in April. Both final bidders have strong Irish-connected companies which should provide a significant boost to the Irish construction sector. The European Investment Bank has already approved loans of up to €500 million for the construction of Metro North. I ask the Minister to provide an update on the final bid process and on the status of the EIB loans.

Doubts have been raised over Metro North, given the current disastrous banking and economic crisis and the hysteria we faced before the recent general election. However, I believe it

is essential to proceed with the project for transport connectivity and to maximise economic growth in the years ahead. When the permission was granted by An Bord Pleanála last October it was reported that €140 million had already been spent on the project and that enabling works for Metro North would cost a net €80 million in 2011, which I understand is covered in the Minister's transport budget.

I also understand that the first implementation payment would not incur until late 2012 or early 2013 at the earliest. As this is a public-private partnership project, the cost to the public purse following the initial implementation payments will be spread over several decades. Recently completed motorways and roads have repayment periods stretching to 2052.

I was informed by the former Minister, Noel Dempsey, that if all the Transport 21 road projects, the metro and the interconnector were delivered, repayments would eventually amount to a €600 million tranche each year in the transport capital budget. The suggested CPO costs that have been widely commented upon in the media for the development of the metro were significantly inflated in the pre-election hysteria.

An exceptionally strong case remains for strongly adhering with all the preparations to build Metro North and to ensure the current tendering and construction timetables are also adhered to. I urge the Minister and the Government to give total and unqualified support to metro north.

Minister for Transport, Sport and Tourism (Deputy Leo Varadkar): I thank Deputy Broughan for giving me the opportunity to deal with the issue this afternoon. As the Deputy is aware Metro North was included in Transport 21 as a key element of an integrated public transport strategy for Dublin. It is the spine of an integrated network connecting the proposed DART underground, existing suburban rail lines, existing and future Luas lines, the proposed metro west, Dublin Airport and the bus network. The 2011 programme for Government makes clear that this Government specifically supports the expansion in range and frequency of high capacity commuter services, subject to cost-benefit analysis and the availability of both Exchequer and private finance. I am therefore examining the major projects in my Department's capital budget which arise from the previous Government's national recovery plan to establish which can proceed. I am now reviewing Metro North, including the updated business case. This review will have regard to the overall cost and benefits, including the contribution in the short, medium and long term to transport objectives, its impact on investment and development in the corridor, as well as its employment creation potential.

Notwithstanding short-term disruption to the city, metro is exactly the kind of transport infrastructure I would like to see in our capital city linking our suburban towns, airport, universities and major hospitals. To proceed, however, we must be sure of the availability of several billion euro in private money under a PPP agreement, up-front Exchequer funding of well over a billion euro during the course of this Government and the State's capacity to repay the PPP contractor considerable sums of money every year for the next 30 years. I must of course also have regard to other projects in the context of overall priorities and the funding allocation. Once this review is complete I will bring the matter before the Cabinet infrastructure sub-committee so that a clear decision can be made as to whether this project will proceed in the immediate future or be postponed.

The programme for Government also proposes the drafting of a new national development plan covering the seven years from 2012 to 2019. The plan will be based on a comprehensive study of Ireland's public investment priorities over that period, with a particular emphasis on job creation and taking into account the realities of funding availability.

[Deputy Leo Varadkar.]

I acknowledge the work undertaken over a number of years in bringing Metro North to the current position. The procurement of Metro North as a PPP project, which commenced in 2008, is ongoing. In June 2009, the Railway Procurement Agency shortlisted two consortia, Celtic Metro Group and Metro Express, to proceed to the final stage of the PPP procurement process. A railway order has been secured and work is well under way for the main planning application for the depot, as mentioned by Deputy Broughan. The European Investment Bank has committed to supporting the project with a loan of up to €500 million.

I also know significant work and consultation have taken place with local authorities and business interests on planning, development and how to undertake the works while keeping the city open for business. In my review I want to assure the Deputy that I will have full regard to the benefits of Metro North, especially that it will carry in excess of 36 million passengers annually at peak; shorten the journey time from Swords in my constituency to the city centre considerably; link universities, hospitals, key retail and employment centres in the city centre, as well as Dublin Airport; generate approximately 4,000 direct jobs and thousands of spin-off jobs; connect with Connolly to Maynooth line and Luas lines to Dundrum and Cherrywood; and act as a catalyst for significant inward investment in the Metro North economic corridor stretching from Ballymun to north of Swords, including Dublin Airport.

Cultural Projects

Deputy Joe Costello: I welcome the Minister. A petition will go to the High Court on Monday relating to the winding up of the company running the Light House Cinema in Smithfield and it would be a terrible shame if it were to be successful. It should either be rejected or adjourned to facilitate a solution.

The Light House is an art-house facility, originally part of the heritage area rejuvenation project proposals, which began in 1995 with commercial, retail, residential and cultural elements. Part of the community gain was the cultural element, although this never properly transpired and Smithfield did not develop as envisaged. The anchor project for culture has been the Light House Cinema, which has provided a very good service to the entire city. It is the only facility of its kind on the north side of the city.

The cinema is currently operating on a lease with a developer, Mr. John Flynn, and the figure was set at €100,000 in 2008; in 2010 the lease was increased to €200,000, doubling in a very short time. It is bad to have upward only rents and leases but it is a scandal to have such a system operating in a recession. The programme for Government has a commitment to put an end to upward only rents and leases in the commercial sector. That will not be resolved at this stage but we can deal with it in future.

The State has a very substantial input into the project and €1.75 million has been provided through the Minister's Department, the Irish Film Board and the Arts Council. It would be a disaster for all that to be lost. It is difficult to see what the developer can get out of this as the facility is subject to planning conditions stipulating cultural development. It would be very difficult to close the cinema and replicate something of a cultural nature in the area that would be as productive as the cinema. The developer is already getting €100,000 per annum.

I understand NAMA is involved and there are some suggestions that pressure is being brought to bear on the developer from NAMA to increase the rent. It is an absentee landlord who is involved in the first instance as he now resides in Florida; many of the people with financial problems now live abroad. NAMA should be seeking a return on its property portfolio and part of the programme for Government is a proposal that some of the property in the agency should be released to the market. The market is currently stagnant because NAMA is

sitting on vast tracts of property. The local authority or others may be interested in retail or residential properties such as this if they were on the market or if NAMA disposed of them.

Such issues can be considered but in the short term there will be a petition before the court next Monday. There is a risk that this singular cultural facility will have to be wound up and closed down and there is the investment of the State in the project running to €1.75 million to consider. We can also consider the planning commitment, established under the statutory rejuvenation project, to maintain a cultural space with associated activities. This is the flagship cultural project of the north of the city, located in the heart of the inner city. It would be a terrible shame if we were to lose it.

Minister for Arts, Heritage and Gaeltacht Affairs (Deputy Jimmy Deenihan): I thank Deputy Costello for raising this matter. The background to the State's involvement with the Light House Cinema is that in February 2006 the then Minister for Arts, Sport and Tourism, Deputy John O'Donoghue, approved in principle an offer of capital grant assistance of €1 million towards the development of the Light House Cinema in Smithfield, Dublin. The project began construction in March 2007 and was officially opened in May 2008. The Department's grant was towards the fit-out costs of the project rather than construction costs. Further State funding of €750,000 for the project was provided from the Cultural Cinema Consortium comprising the Irish Film Board and Arts Council.

The capital funding for the Light House Cinema was provided from the Department's capital development subhead for arts infrastructure. The purpose of this capital development is to support the further development of arts and culture in Ireland. Integrated arts centres, theatres, museums, cinemas and galleries as well as arts studios and other creative and performance spaces have been provided with funding. This capital funding has been widely acknowledged as a significant intervention in the provision of quality cultural spaces throughout the regions.

Anyone who has visited the Light House Cinema will agree that it fits into the category of a quality cultural space and has been an important addition to the cultural life of Smithfield in particular and Dublin in general since it opened nearly three years ago. The cinema has four screens with 600 seats and presents a diverse and individual programme of the best Irish, independent, foreign language, arthouse and classic cinema. It is important that as many types of cinematic tastes as possible are catered for in a large city such as Dublin and the Light House Cinema has played an important role in delivering this film diversity.

Film and film making is of great value to Ireland, financially and as a cultural asset. As part of this whole process, quality outlets such as the Light House Cinema are required to show the completed film product. There is now more than ever greater global competition in securing film and television productions. Ireland continues to hold its own, thanks to the work of the Irish Film Board, our impressive talent pool of directors, writers, actors and technical crews and the various supports on offer. This support manifests itself through various mechanisms, including the section 481 tax incentive for film and television production in Ireland, which, as announced recently, is being extended until the end of 2015.

The audiovisual sector plays an important part in Irish society in economic and cultural terms. Film, as part of the audiovisual medium, is an area in which Ireland continues to excel, as evidenced by the success of Irish productions which secured numerous awards at international level in recent years. Such productions include the films "Once", "The Wind That Shakes the Barley" and "Garage", all of which were shown in the Light House Cinema.

I hope the Light House will remain open and will do as much as possible to ensure it does. Obviously, I must await the outcome of the High Court hearing next week. In that regard, the Office of the Chief State Solicitor has been informed and is examining the relevant legal docu-

[Deputy Jimmy Deenihan.]

ments. It is important to acknowledge that the State's investment is protected through a charge on the property. This charge allows that if the Light House ceases to operate from the premises in Smithfield in the first five years of its operation — as it opened in 2008, we are well within the five year window — the Minister can choose either the repayment of the State grants or can agree with the Cultural Cinema Consortium which would occupy the building for the remainder of the lease in order that the premises will remain in use as an arthouse-cultural cinema centre.

The Dáil adjourned at 5.25 p.m. until 2.30 p.m. on Tuesday, 29 March 2011.

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 11, inclusive, answered orally.

School Staffing

12. **Deputy Peadar Tóibín** asked the Minister for Education and Skills the reason his Department has not facilitated a panel of teachers for Gaelscoileanna while facilitating panels for all other patronages in view of redundancies in the primary sector and the prohibition on permanent appointments in the primary sector; and if he will make a statement on the matter. [5502/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Over half of the Gaelscoileanna are under catholic patronage and the redeployment of surplus teachers from these schools is through the relevant diocesan panels.

My Department had discussions recently with An Foras Pátrúnachta in relation to its request for a separate panel for Gaelscoileanna under its patronage. These discussions are on-going and a key issue for my Department is how best to facilitate this request in a manner that avoids the inherent inefficiencies of a separate panel for a relatively small number of schools. Given our budgetary situation we need to have sufficient flexibility in the redeployment arrangements to ensure that surplus teachers in all schools regardless of patronage type can be readily redeployed to vacancies wherever they exist.

The existing arrangements for the redeployment of surplus teachers operate between schools of the same patronage and are not certain to bring about the redeployment of all surplus teachers. To address the current limitations my Department will be seeking in the coming period to conclude discussions with the relevant education partners, including An Foras Pátrúnachta, on changes necessary to achieve our objective of absorbing all surplus teachers into vacancies that exist in other schools. These discussions will also deal with the request for a separate redeployment panel for Gaelscoileanna under the patronage of An Foras Pátrúnachta.

Departmental Agencies

13. **Deputy Charlie McConalogue** asked the Minister for Education and Skills if he will have any role in the new National Employment and Entitlements Service replacing FÁS; if so the

[Deputy Charlie McConalogue.]

nature of that role; the timeline for setting up the new agency; and when details of the new agency will be provided. [5543/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): Under the Employment Programmes and Services and Skills Training (Transfer of Departmental Administration and Ministerial Functions) Order which came into force on 1 May 2010, my Department assumed responsibility from the then Department of Enterprise, Trade and Innovation for FÁS as an Agency and for its funding and activities relating to training and skills.

Following the commencement on 1 January 2011 of the relevant sections of the Social Welfare (Miscellaneous Provisions) Act 2010, the Department of Social Protection assumed the funding and overall responsibility for FÁS employment services and employment programmes. Responsibility for training and skills provided by FÁS is part of my Department's functions.

The Programme for Government states that the National Employment and Entitlements Service will integrate all employment and benefit support services into a single delivery unit managed by the Department of Social Protection. It also states that this new service will provide a "one stop shop" for people searching for employment, seeking advice about their training options or establishing their benefit options.

The timeline for setting up the National Employment and Entitlements Service and the details relating to it are matters for the Minister for Social Protection. I intend to fully support and co-operate with the establishment of this service.

Property Transfers

14. **Deputy Aengus Ó Snodaigh** asked the Minister for Education and Skills when will he negotiate the transfer of school infrastructure currently owned by the 18 religious orders cited in the Ryan Report to the State; and if he will make a statement on the matter. [5507/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Programme for Government contains a commitment to negotiate the transfer of school infrastructure currently owned by 18 religious orders cited in Ryan Report, at no extra cost, to the State.

Following publication of the Ryan Report in May 2009, the then Government and this House called on the Congregations to commit to making further substantial contributions by way of reparation. In response the Congregations offered additional contributions, which included various property transfer proposals to different State bodies and voluntary organisations. My Department, as lead Department handling these matters, has been liaising with the Congregations and the various State bodies to determine the potential use of the various property offers and their acceptability to the State. The potential for the Congregations to augment their offers, so as to realise a 50:50 sharing of the costs of the response to residential institutional abuse, has also been pursued with the Congregations.

The cost of the response to residential institutional abuse is estimated at €1.36 billion. The contribution of the 18 congregations under the 2002 Indemnity Agreement amounted to €128 million. They have since committed to some €110 million to a Statutory Fund for former residents of which €20.6m has been received. They have also offered additional properties which they value at €235.5m. Even if all of these properties were to be acceptable to the State and their values confirmed there would be a shortfall of over €200 million below the 50:50 target.

Against this background the formal transfer, without cost to the State, of schools infrastructure could help achieve the 50:50 target. Apart from the potential for achieving diversity within the education system over time, which I am beginning to address separately through a Forum on Patronage and Pluralism at primary level, the schools transferred could continue to be used

by the religious congregations and or their successor trusts with the same patronage arrangements as prevail today. The difference would be that the Irish taxpayer, through the State, would be the owners of that educational infrastructure.

Departmental Schemes

15. **Deputy Dessie Ellis** asked the Minister for Education and Skills if the book grant will be made available to low income families in 2011; if the grant will be forwarded to schools in time for distribution; and if he will make a statement on the matter. [5501/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to inform the Deputy that my Department intends to issue funding to primary schools in April and post-primary schools in June to enable them to provide assistance for school books. Details of the funding were notified to schools by circulars 0023/2011 (primary level) and 0024/2011 (post-primary level), which are available on my Department's website.

In these circulars, schools were urged to use this funding to establish book rental schemes, as these are the most effective means of lowering costs for all students.

Funding will be allocated on the following basis:

- €11 per pupil in primary schools;
- 21 per pupil in primary schools within the Delivering Equality in Schools (DEIS) scheme;
- 24 per pupil in post-primary or
- €39 per pupil in post-primary schools within the DEIS scheme.

This funding arrangement affords schools the autonomy to utilise funding in the most effective way based on their particular knowledge of their student needs. The previous system required schools to apply each year to my Department for a book grant, which resulted in a significant administrative burden, both for schools and my Department.

Third Level Statistics

16. **Deputy Seamus Kirk** asked the Minister for Education and Skills the number of students in higher education during the academic year 1996/97 and in the current academic year; and if he will make a statement on the matter. [5545/11]

Minister for Education and Skills (Deputy Ruairí Quinn): In 1996/97, there were 100,204 full time students enrolled in higher education institutions in Ireland as well as 22,795 part time students. Provisional enrolment figures for 2010/11 show that there are currently 159,056 full time students enrolled in our institutions and 26,645 part time students. This includes both undergraduate and postgraduate students. This is a 59% increase in the number of full time students being accommodated within the system and a 17% increase in part time students.

This expansion in participation has had a hugely positive impact on the skills level of Ireland's workforce which has played a key part in attracting foreign direct investment into the Irish economy as well as raising the performance of Ireland's indigenous companies. The latest OECD Education at a Glance (2010) shows that the tertiary education attainment rates in Ireland's workforce (25-64 year olds) are now significantly above both OECD and EU19 averages.

In terms of Ireland's economic renewal, a vibrant, sustainable and widely accessible higher education system remains of central importance. We need to ensure that our higher education

[Deputy Ruairí Quinn.]

institutions continue to accommodate the needs of full time entrants to higher education, while also developing more flexible routes into higher education so that adults in the workforce can better engage with educational opportunities at this level. The importance of this aspect of our system's development is emphasised in the National Strategy for Higher Education to 2030 and will be a focus of future policy development.

Higher Education Grants

17. **Deputy Barry Cowen** asked the Minister for Education and Skills his plans to overhaul the system for means testing student grants; and if his plans will include the means testing of assets. [5541/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Government is committed to ensuring that everyone should have an equal chance of realising their full potential at all levels of education, from primary through to third level. The student grant schemes have a fundamental role to play in ensuring that this objective is achieved in promoting equity of access to higher education. In this context, I am committed to keeping the student grants schemes, including the question of the means testing of assets, under review to ensure that the funding available is targeted equitably and towards those most in need of assistance.

I am glad to be able to say that students can look forward to improvements to the student grants scheme for the 2011/12 academic year when it is intended to introduce a single unified scheme to replace the existing four schemes. This development will make it easier for students when it comes to applying for a grant. In addition, the online grants application facility and payment to students by way of electronic funds transfer will be rolled out further this year.

I am also moving ahead with plans to introduce a single grant awarding authority from 2012 and, subsequently, the establishment of an independent appeals board. These developments, which are enabled by the provisions of the Student Support Act, will provide for fundamental reform of the student grants administration process at the earliest possible date.

The introduction of further reforms, including improvements to the way in which means testing is carried out, will be facilitated by consolidation of the administration function.

Departmental Staffing

18. **Deputy Brendan Smith** asked the Minister for Education and Skills the changes he is proposing regarding the staffing of his Department; and if he will make a statement on the matter. [5537/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Public Service (Croke Park) Agreement 2010-2014 sets out how the Civil Service needs to be re-organised in the context of reduced resources and numbers in order to provide a more effective and focused service. My Department and its agencies provide action plans under the Agreement to the Implementation Body which are updated on a quarterly basis as progress is made on issues such as redeployment, better business processes and greater flexibility.

My Department and its agencies will be working to ensure that reductions to staffing numbers as set out in the Employment Control Framework (ECF) are met. It is acknowledged that achieving the reductions required under the ECF will be challenging and will require the civil service to be more efficient and effective, achieving greater productivity and demonstrating greater flexibility. In terms of specific human resource (HR) actions Personnel will, inter alia, fully implement new sick leave arrangements and are taking a more proactive approach in dealing with different aspects of underperformance.

The Deputy will also be aware that at a Government meeting held on the 15th March, 2011, it was decided to reduce the number of staff permitted in Minister's Private Offices from 10 to 8 and Minister of State's Private Offices from 7 to 5. The number of staff permitted in Minister's Constituency Offices has been reduced from 6 to 4 and Ministers of State's Constituency Offices from 5 to 3. The staffing of these offices at my Department will be in accordance with these reduced parameters.

School Size

19. **Deputy Brian Stanley** asked the Minister for Education and Skills with regard to the review of small rural schools which is currently taking place, the number of submissions that have been received to date; when the review is expected to conclude; if he foresees any school closures as a result; and if he will make a statement on the matter. [5511/11]

Minister for Education and Skills (Deputy Ruairí Quinn): A review is underway at present in order to establish the value for money being achieved from state funding of small primary schools. This value for money review is part of the normal review processes undertaken by Departments on an annual basis on selected areas of expenditure.

The closing date for receipt of submissions to the value for money review of small primary schools was Friday last, 18th March 2011. A large response was received and the submissions are currently being sorted and acknowledged. I can confirm that almost 1,000 submissions have been received.

I do not have a pre-determined view on the outcome of the review. Educational quality for the pupils must be one of the main criteria in any consideration of primary school size and organisation, taking into account both the needs of local communities and wider social and cultural factors.

The review should be completed by the end of this year and I plan to consider the review's outcomes when they are finalised. My consideration will take place in the context of the resources available to the Department and the other factors I have outlined.

School Management

20. **Deputy Michael Colreavy** asked the Minister for Education and Skills if he will examine and reverse Circular 0019/2011 in view of his programme for Government commitment to devolve more responsibility to school principals and boards; and if he will make a statement on the matter. [5509/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The process of allocating teaching resources to schools for 2011/2012 and the arrangements for filling vacant or new teaching posts takes place in the context of the Programme for National Recovery, the EU/IMF Programme of Support for Ireland and the Public Service Agreement 2010/2014.

It is necessary for my Department to exercise additional control and reporting measures this year to ensure that the numbers of teachers employed in schools is consistent with the Programme for National Recovery and the EU/IMF Programme of Support for Ireland.

It is necessary, therefore, for my Department to ensure this year that all permanent and fixed term positions are in the first instance made available to those permanent and CID holding teachers that are surplus and are to be redeployed.

This means that until further notice no school can be given authority to commence recruitment until my Department is in a position to assess the number of these teachers, if any, that remain to be redeployed.

[Deputy Ruairí Quinn.]

It is the intention of the Department to restore recruitment from fixed-term teachers on the main panels, supplementary panels or public advertisement at the earliest possible opportunity, after all the surplus permanent teachers have been redeployed.

I am aware that many newly qualified teachers are concerned by the lack of job prospects within the education sector. Our education system is experiencing an increase in population numbers and this will require an increase in staffing levels just to meet demand.

My Department will have to consider whether further practical measures can be focused to address the real difficulties in this area for newly qualified teachers.

Schools Building Projects

21. **Deputy Seamus Kirk** asked the Minister for Education and Skills the spending on primary school capital projects provided for in budget for 1997 and in budget for 2011; and if he will make a statement on the matter. [5546/11]

Minister for Education and Skills (Deputy Ruairí Quinn): For the 2011 capital provision the primary and post primary sectors are combined under a single subhead and the total allocation amounts to €383m of which approximately €222m is designated for the primary sector. The corresponding combined allocation in 1997 as published in the Revised Estimates for Public Services amounted to €73.723m of which €35.127m related to the primary sector.

Pupil-Teacher Ratio

22. **Deputy Michael Moynihan** asked the Minister for Education and Skills the number of teachers, average class size and pupil-teacher ratio in primary schools in the school years 1996-1997 and the latest available figures; and if he will make a statement on the matter. [5538/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Statistics Section of my Department's website contains extensive information relating to pupil teacher ratio (PTR) and class sizes in primary schools.

The figures for 1996/97 show that there were 21,035 teaching posts, the average class size was 26.6 and the teacher pupil ratio was an average of 1 teacher for every 22.3 pupils at primary level.

The most recently published figures relate to the 2009/10 school year and show there were 31,709 teaching posts, the average class size was 24.1 and the pupil teacher ratio was an average of 1 teacher for every 16 pupils at primary level.

Statistical information in respect of the 2010/11 school year is due for publication in September 2011.

School Patronage

23. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the number of primary schools and pupils not under religious patronage in the 1996/97 school year and in the current school year; and if he will make a statement on the matter. [5542/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Department's records indicate that in the 1996/97 school year there were 43 primary schools that were not under religious patronage. The combined enrolment for these schools in 1996/1997 was circa 5,340 pupils. In the 2009/10 school year there were 130 primary schools that were not under religious patronage. The combined enrolment for these schools in 2009/2010 was circa 22,734 pupils. The finalised data in respect of the current school year is not yet available.

Early Childhood Education

24. **Deputy Pádraig Mac Lochlainn** asked the Minister for Education and Skills his plans to invest in a targeted early childhood education programme for disadvantaged children as per the programme for Government; the date on which he intends to roll out these plans; and if he will make a statement on the matter. [5510/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The commitment in the Programme for Government is that 'As resources allow, this Government will invest in a targeted early childhood education programme for disadvantaged children, building on existing targeted pre-school supports for families most in need of assistance such as the young Ballymun project.'

There are existing wholly State-funded intervention programmes for young children at risk of educational disadvantage. The Early Start programme aims to provide an educational programme for children aged 3-4 which would enhance their overall development and offset the effects of social disadvantage. The specific objectives of the programme are:

- To enhance the children's language, cognitive and social/emotional development by engaging them in structured play activities which are characterised by high quality adult/child interaction.
- To assess the strengths and needs of each child in relation to language, cognition and social/emotional development and to plan and deliver a programme of learning to meet the identified needs in these key areas of learning.
- To devise strategies which actively engage parents in the education of their children.

The Early Start programme has been in existence since the mid 1990s and this programme along with the Rutland St pre-school programme were, until recently, the only wholly State funded educational programmes for pre-school children. In recent years, the State along with Atlantic Philanthropies have funded Prevention and Early Intervention Programmes in areas of disadvantage. These include YoungBallymun, Tallaght's Childhood Development Initiative and the Preparing for Life Programme in Darndale. The evidence accruing from these intervention programmes as to what works most effectively for young children at risk of educational disadvantage will inform further targeted interventions.

We will be implementing this commitment in the Programme for Government over our term of office in Government.

Departmental Reviews

25. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Education and Skills when the review of the Hunt Report on Higher Education will be undertaken; the person who will lead this review; the timescale for the review and the terms of reference; and if he will make a statement on the matter. [5503/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Programme for Government clearly states that education will be a priority for this Government and that we will endeavour to protect and enhance the educational experience of children, young people and students. To that end, we will endeavour to protect frontline services in education.

However, the fiscal position is extremely difficult. This country is effectively in receivership. It is necessary to ensure that educational services are delivered within the resources available. I intend to prioritise and support special educational services. However, I cannot re-visit the previous Government's decision to place a cap on the number of posts available under the

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Special Needs Assistant (SNA) scheme. This number is 10,575 whole time equivalent (WTE) posts. This is a significant number of posts and unlike other areas of the public sector vacancies are being filled up to this number. It also represents continual increases in the number of SNAs over recent years.

It is considered that with equitable and careful management and distribution of these resources that there should be sufficient posts to provide access to SNA support for all children who require such care support to attend school, in accordance with Departmental criteria.

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.

The NCSE has issued a circular to all schools advising of the allocation process for the 2011/2012 school year. A key feature of the amended scheme will be to provide for an annual allocation of Special Needs Assistant support to eligible schools.

My Department and I will be glad to consider any suggestions from school management or parent representative organisations as to how the allocation of SNA resources can best be managed within the context of the overall limit on SNA numbers established. In this regard I am committed to making whatever improvements are possible to the resource allocation system.

We all have to understand the legacy of economic mismanagement which the last government gave to this country.

Special Educational Needs

26. **Deputy Seán Crowe** asked the Minister for Education and Skills his plans to continue with the cap on special needs assistants for September 2011 leaving new entrants and newly diagnosed children with special needs without SNA support in mainstream classrooms; and if he will make a statement on the matter. [5499/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Programme for Government clearly states that education will be a priority for this Government and that we will endeavour to protect and enhance the educational experience of children, young people and students. To that end, we will endeavour to protect frontline services in education.

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Schools Recognition

27. **Deputy Gerry Adams** asked the Minister for Education and Skills if he will grant departmental recognition to a school (details supplied); and if he will make a statement on the matter. [5513/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The report from the Commission on School Accommodation on the review of procedures for the establishment of new primary schools is about to be published. Upon publication of the report it will be necessary to consider the policy matters and necessary arrangements and revised procedures that will need to be put in place. Based on demographic information my Department, in consultation with school patrons, has made decisions on where new primary schools are required to commence operation in September 2011 to cater for significantly increased enrolments. These areas are Blanchardstown West, Dublin 15, Mulhuddart, Dublin 15 and Ashbourne, Co. Meath.

My Department will not be granting recognition for the new school referred to by the Deputy as there is no demographic need in the town concerned.

However, my Department will be proceeding with the commitment in the Programme for Government to develop a time-limited Forum on Patronage and pluralism in the Primary Sector. The Forum will seek to produce a blueprint for an education system where different patronage models, like Gaelscoileanna, can be delivered in areas where parental/community demand is greatest.

School Patronage

28. **Deputy Martin Ferris** asked the Minister for Education and Skills when the forum on patronage and pluralism in the primary sector, as per the programme for Government, will be undertaken; when the terms of reference will be available; and if he will make a statement on the matter. [5504/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Forum on Patronage and Pluralism is a key education objective of the Programme for Government which will provide a platform for what I believe is an essential debate in the education agenda.

I am currently considering Terms of Reference for the Forum together with the necessary organisational arrangement to make it happen as quickly as possible. It is my intention to make an announcement in this regard very shortly.

The Forum will deal with a very complex topic and it will need to be mindful of issues such as the expressed willingness of the Catholic Church to consider divesting patronage of some of its primary schools; parental demand for increased availability of different types of schools; and the financial constraints imposed by the current economic climate.

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It is my intention that the Forum will take a multi-dimensional approach involving consultations with the key education stakeholders, including parents.

Special Educational Needs

29. **Deputy Barry Cowen** asked the Minister for Education and Skills the number of special needs assistants working in schools here in the school year 1996 — 1997 and the current school year; and his plans regarding these posts for the coming year. [5540/11]

Minister for Education and Skills (Deputy Ruairí Quinn): In 1996 there were 250 Special Needs Assistants (SNA) employed in Primary and Special Schools and in 1997 there were 270 SNAs employed in Primary and Special Schools. At end December 2010 there were 10,543 SNAs in place.

The Programme for Government clearly states that education will be a priority for this Government and that we will endeavour to protect and enhance the educational experience of children, young people and students. To that end, we will endeavour to protect frontline services in education.

However, the fiscal position is extremely difficult. This country is effectively in receivership. It is necessary to ensure that educational services are delivered within the resources available. I intend to prioritise and support special educational services. However, I cannot re-visit the previous Government's decision to place a cap on the number of posts available under the Special Needs Assistant (SNA) scheme. This number is 10,575 whole time equivalent (WTE) posts. This is a significant number of posts and unlike other areas of the public sector vacancies are being filled up to this number. It also represents continual increases in the number of SNAs over recent years.

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We all have to understand the legacy of economic mismanagement which the last government gave to this country.

Psychological Service

30. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills when the cut to the number of educational psychologists in National Educational Psychological Service will be reversed; and if he will make a statement on the matter. [5505/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The implementation of the various commitments in the Programme for Government will be addressed by Government over its period in office.

Traveller Education

31. **Deputy Seán Crowe** asked the Minister for Education and Skills if he will examine and reverse Circular 0017/2011 with regard to the withdrawal of resource teacher for Traveller posts; and if he will make a statement on the matter. [5500/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Programme for Government sets out that education will be a priority for this Government and that we will endeavour to protect and enhance the educational experience of children, young people and students. To that end, we are committing — during the tenure of this Government — to improving the co-ordination and integration of the delivery of services to the Traveller community across all Government departments, using available resources more effectively to deliver on principles of social inclusion, particularly in the area of Traveller education through the DEIS programme.

I do not intend to revisit the decision of the previous Government to withdraw resource teacher for traveller posts. The Deputy will understand that Ireland is effectively now in economic receivership because of the disastrous legacy of the last Fianna Fáil/Green Party Government. The requirements to make expenditure savings and to ensure that staffing numbers remain within the Public Service Employment Control Framework prevent me from re-visiting this decision.

The decision, however, is broadly in keeping with the recommendation in the Report and Recommendations for a Traveller Education Strategy that an integrated, collaborative and in-class learning support system should be adopted for all children, including Travellers, with an identified educational need. The strategy aims to enhance access, attendance, participation and engagement for Travellers and is underpinned by the principles of inclusion and mainstreaming with an emphasis on equality and diversity.

Traveller pupils who are eligible for learning support teaching will, from the next school year, receive this tuition through the existing learning support provision in schools. All schools should select students for learning support on the basis of priority of need.

I do recognise that withdrawing all RTT posts will place a strain on existing learning support services in schools. In recognition of this, limited alleviation measures are being provided to assist some schools that have high concentrations of Traveller pupils and who were previously supported by Resource Teachers for Travellers.

I want to advise the Deputy that, in respect of the DEIS scheme, Traveller pupils have been included in the valid enrolment for the purpose of allocating additional staffing under DEIS from the 2011/12 school year. The schools involved have already received their staffing allocations for next year.

Rockall Island

32. **Deputy Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Foreign Affairs the position regarding negotiations over ownership of Rockall and the steps being taken by him to secure Ireland's territorial claim. [5580/11]

Tánaiste and Minister for Foreign Affairs (Deputy Eamon Gilmore): Rockall is a small uninhabitable rock, 25 x 30 metres wide, located approximately 160 nautical miles west of the Scottish islands of St. Kilda and 230 nautical miles to the north-west of Donegal. It marks a point at which the Rockall Bank, part of the very large Hatton-Rockall area of continental

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shelf extending under the north-east Atlantic Ocean, protrudes 21 metres above sea level. During the 1960s and 1970s the issue of Rockall was a source of legal and political controversy in both Ireland and the United Kingdom. The United Kingdom claims sovereignty over Rockall and has sought to formally annex it under its 1972 Island of Rockall Act. While Ireland has not recognised British sovereignty over Rockall, it has never sought to claim sovereignty for itself. The consistent position of successive Irish Governments has been that Rockall and similar rocks and skerries have no significance for establishing legal claims to mineral rights in the adjacent seabed and to fishing rights in the surrounding seas.

During the course of the Third United Nations Conference on the Law of the Sea, which took place from 1973 to 1982, Ireland worked hard to achieve agreement on this principle. The UN Convention on the Law of the Sea, which was adopted at the conclusion of the Conference on 10 December 1982, provides at Article 121, paragraph 3 that: “Rocks which cannot sustain human habitation or economic life of their own shall have no exclusive economic zone or continental shelf.” Rockall falls into precisely this category.

In 1988, Ireland and the UK reached agreement on the delimitation of areas of the continental shelf between the two countries, stretching out up to 500 nautical miles from their respective coastlines. This included the division of the Hatton-Rockall area of continental shelf on which Rockall is situated, although under the terms of the Law of the Sea Convention the location of Rockall was irrelevant to the determination of the boundary. According to that determination, Rockall is situated to the north of the boundary agreed with the UK in 1988 and lies outside the zone claimed by Ireland.

However, the claims to the Hatton-Rockall shelf agreed between Ireland and the UK are not accepted by Iceland or Denmark (on behalf of the Faroe Islands), which make their own claims. The four countries have met regularly since 2001 in an effort to resolve the overlapping claims issue, but to date have been unable to reach agreement.

As with any claim to continental shelf lying beyond 200 nautical miles from shore, the UN Convention requires that Ireland and the UK submit their claims for examination to the UN Commission on the Limits of the Continental Shelf. The 10-year deadline for the making of submissions to the UN Commission expired for Ireland in May 2009. The Government therefore submitted the national claim for this area at the end of March 2009, as did the UK. The Faroe Islands made its submission at the end of last year. Iceland has not yet made a submission.

The Commission’s rules of procedure prevent consideration by the Commission of a submission relating to a disputed area without the consent of all the states concerned. Accordingly the purpose of making submissions in accordance with the deadline, as Ireland, the UK and the Faroes have all now done, is to stop the clock on the deadline and preserve each country’s legal position. In the meantime the four states will continue to meet at regular intervals and the Government continues to work for the creation of conditions that will permit consideration of Ireland’s submission by the Commission as soon as possible.

The State’s continental shelf has already been successfully extended beyond 200 nautical miles in the area to the west of the Porcupine Bank where, following consideration by the UN Commission, 39,000 square kilometres of additional seabed has recently been designated under the 1968 Continental Shelf Act. Together with France, Spain and the UK, we have also made a successful submission to the Commission in relation to a large area of seabed in the Celtic Sea and Bay of Biscay and the four countries have recently begun discussions on the division of this area.

Foreign Conflicts

33. **Deputy David Stanton** asked the Tánaiste and Minister for Foreign Affairs the position regarding the Ivory Coast following recent elections and in particular the situation in the northern part of that country; and if he will make a statement on the matter. [5601/11]

Tánaiste and Minister for Foreign Affairs (Deputy Eamon Gilmore): The situation in Cote d'Ivoire is extremely serious and of growing concern to the Irish Government and our EU partners. The first round of Presidential elections was held in Cote d'Ivoire on 31 October 2010, after having been initially scheduled for 2005. With no outright winner, a second round was held on 28 November, in which President Laurent Gbagbo faced opposition leader Alasane Ouattara. On 2 December the Independent Electoral Commission (IEC) released results of the election, declaring Mr Ouattara the winner, with the UN certifying the result. However, the President of the Constitutional Council declared that the results were null and void and, citing irregularities in Mr. Ouattara's northern base, cancelled returns from four regions. The Constitutional Council then declared President Gbagbo the winner. The UN, European Union, African Union (AU), Economic Community of West African States (ECOWAS) and the United States have all formally recognised Ouattara as the duly elected President. However, after the Constitutional Council announcement, Gbagbo was sworn in as President. ECOWAS immediately suspended Cote d'Ivoire from the group and the AU suspended Côte d'Ivoire from all AU activities. On 18 December, Gbagbo ordered all UN peacekeepers to leave the country. The UN refused to leave, and the Security Council extended the mandate of the UN Mission in Côte d'Ivoire until June 30, 2011.

On 22 December the EU agreed to impose travel restrictions and an asset freeze on a number of persons in Cote d'Ivoire who were identified as obstructing the process of peace and national reconciliation, and in particular those jeopardising the proper outcome of the electoral process. Since then the list has been expanded and is constantly monitored.

African mediation teams from ECOWAS and the AU have been in negotiations with President Gbagbo but without significant progress so far. Indeed, in spite of all international efforts to resolve the situation, it is deteriorating and violence is increasing. Pro-Ouattara "Forces Nouvelles" militia are advancing southwards from the northern region which they have controlled since the 2005 ceasefire. Meanwhile pro-Gbagbo militia are now seeking to enrol in the regular army. The UN estimates that the death toll now stands at 440.

Relative to the southern city of Abidjan and western parts of Cote d'Ivoire where clashes between regular and irregular forces have been concentrated, northern Cote D'Ivoire appears to be more stable. Although low level clashes have occurred along the former "zone of confidence", a line patrolled by UN and French forces that divided northern and southern parts of Cote d'Ivoire until 2007, it would appear that clashes have been restricted to areas where opposing forces are deployed in close proximity to each other. This situation is reflected in the lower number of refugees moving from northern parts of Cote D'Ivoire to neighbouring countries than is the case in the south. Figures indicate that approximately 7,000 people have moved to Mali, Ghana and Burkina Faso, whilst the number of refugees moving into Liberia is reported to be in excess of 90,000.

In Liberia, the Government is working closely with UN agencies and NGO partners as Liberia's capacity to respond to the influx of refugees is limited. Irish Aid has provided €400,000 to UNHCR and €300,000 to UNICEF to assist with the refugee situation in Liberia. There are also an estimated 400,000 internally displaced persons in Cote d'Ivoire and the humanitarian situation continues to deteriorate rapidly with increasingly limited access for the local population to essential services and rapidly rising prices for food and other basic necessities. The situation in Cote d'Ivoire remains a priority for the EU and indeed was discussed again at the Foreign Affairs Council on Monday 21 March. Ireland and the EU support African leadership

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on this issue, and will do all that we can to contribute to a peaceful resolution to the situation, whereby the will of the people as expressed in the election is respected, without further injuries or loss of life.

Illicit Trade in Tobacco Products

34. **Deputy Seán Kenny** asked the Minister for Finance if he will arrange a new national press, TV and national radio campaign to raise awareness of the free phone number for reporting of the sale and importation of illegal tobacco and cigarettes. [5570/11]

Minister for Finance (Deputy Michael Noonan): I am informed by the Revenue Commissioners, who are responsible for the collection of tobacco products tax, that Revenue employs a multi-faceted strategy for tackling the illicit trade in cigarettes and other tobacco products. It includes ongoing analysis of the nature and extent of the problem, developing and sharing intelligence on a national, EU and international basis, ongoing review of operational policies, development of analytics and deployment of detection technologies, optimum deployment of resources at point of importation and inland to intercept the contraband product and to prosecute those involved. Revenue also regularly draws the attention of the public to the detrimental effects of the illicit tobacco trade. In July 2010, to coincide with the introduction of the confidential freephone number, advertisements highlighting the impact of cigarette smuggling, together with the freephone number (Freephone 1800 295 295), were placed in the national press and relevant trade publications. A journalists' press briefing was also held to publicise the freephone number and to raise awareness of Revenue's activities in tackling this illicit trade.

The Revenue Commissioners have received 165 calls via the confidential tobacco freephone since its launch in July 2010 to date. Revenue continues to promote the confidential free phone through its website and includes the phone number in all press releases relating to cigarette and tobacco seizures and in all radio and television interviews concerning the illicit tobacco trade. In addition, Revenue has enlisted the assistance of the main tobacco manufacturers who have all agreed to promote the free phone on their websites and in trade publications.

Revenue will be reviewing its overall approach to heightening public awareness of the increased health risks from the consumption of tobacco products of non-verifiable origin. However it is not clear at this stage that advertising of the type envisioned in the question, which is costly, represents the best approach or the best value.

Revenue will continue to encourage the public to assist in the fight against the illicit tobacco trade by providing information to Revenue, by means of the confidential freephone or otherwise, on the smuggling and sale of untaxed tobacco products. Significant seizures, prosecutions and enforcement initiatives in this area will also be highlighted in the coming year at local and national level.

Tax Code

35. **Deputy Catherine Murphy** asked the Minister for Finance when he intends to reform the universal social charge; and if he intends to introduce a tapered approach above the €4,000 threshold; and if he will make a statement on the matter. [5599/11]

Minister for Finance (Deputy Michael Noonan): There is a commitment in the new Programme for Government to carry out a review of the Universal Social Charge (USC). I expect the terms of reference to be finalised shortly and I would anticipate that the review will be completed in time for Budget 2012.

36. **Deputy Denis Naughten** asked the Minister for Finance when section 13 of the Finance Act 2011 which makes provision for relief for energy efficient works will be enacted; and if he will make a statement on the matter. [5645/11]

Minister for Finance (Deputy Michael Noonan): Section 13 of the Finance Act 2011 provides for income tax relief at the standard rate for expenditure incurred by individuals on a range of works that are carried out to improve the energy efficiency of residential premises situated in the State. Relief will be available for qualifying expenditure of up to a maximum of €10,000 for single individuals, or up to a maximum of €15,000 per qualifying property. The scheme will be operated primarily by the Sustainable Energy Authority of Ireland, in conjunction with the Revenue Commissioners. The maximum amount of expenditure that will qualify for relief in any one tax year is €150 million. Relief will be given by way of repayment in the tax year following that in which the work was completed and the expenditure incurred. Due to the truncated timetable for Finance Bill 2011, it was not possible to consider a number of potential legislative amendments to the scheme. These will be addressed in the next Finance Bill. In addition, the previous Minister made a commitment to publish an Ex-Ante Economic Impact Assessment of the scheme before commencing it via Ministerial order. My officials are currently working on this assessment and it will be published as soon as it has been completed.

Third Level Funding

37. **Deputy Brendan Smith** asked the Minister for Education and Skills when he plans to begin a review of third level funding as promised in the programme for Government; will the review examine the reintroduction of third level fees; will a graduate tax be considered in that review and will he rule out the introduction of a graduate tax or increased third level fees during the lifetime of this Government. [5641/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Programme for Government provides a commitment to undertake a full review of third level funding with a view to introducing a funding system that will provide third level institutions with reliable funding but does not impact on access for students.

This review will be advanced as part of the wider implementation plan for the higher education strategy and links to recommendations made in the Hunt report in relation to the role of the HEA in advising on the sustainability of the system, developing the higher education funding model and supporting institutions in widening their funding base. I will be considering the issues involved including an increased contribution by students as referred to by the Deputy as part of my wider consideration of the implementation plan.

Vocational Education Committees

38. **Deputy Brendan Griffin** asked the Minister for Education and Skills if he will confirm the decision of the former Minister to review the proposed amalgamation of Kerry Education Service and Limerick City and County Kerry Vocational Education Committee as a stand-alone entity; and if he will make a statement on the matter. [5586/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I am anxious to ensure that progress continues to be made in the work of bringing about a reduction in the number of VECs.

To that end I will be considering the matter raised by the Deputy in the coming period, in tandem with other issues that have been the subject of a recently concluded consultation process with the relevant stakeholders. Specifically, these issues are: to determine the HQ locations where there are mergers, the titles of the new entities and the changes needed in relation to the composition of each committee.

My Department is presently engaging in consultations with the IVEA on this matter and I am eager to ensure that the proposed rationalisation of VECs proceeds in a sensible manner, and addresses the aforementioned issues in a satisfactory and comprehensive way.

Special Educational Needs

39. **Deputy Michael McGrath** asked the Minister for Education and Skills the position regarding an application for a special needs assistant in respect of a person (details supplied) in County Cork. [5587/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs) for allocating resource teachers and Special Needs Assistants to schools to support children with special 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 SENO directly to discuss their child's special educational needs, using the contact details available on www.ncse.ie.

Pupil-Teacher Ratio

40. **Deputy Brendan Griffin** asked the Minister for Education and Skills if he will reverse the decision to increase the pupil-teacher ratio for Gaelscoileanna from September 2011; and if he will make a statement on the matter. [5591/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The standardisation of the staffing schedule for Gaelscoileanna so that it is the same as that which applies to primary schools generally is one of a number of measures in Budget 2011 to control and reduce teacher numbers. These changes are effective from September 2011. Given our budgetary situation it is not possible to reverse these changes.

This change will result in a reduction of the order of 50 posts in Gaelscoileanna. There are currently a total of over 1,500 teaching posts in these schools.

The actual impact at individual school level is determined as part of the allocation process for 2011/12 school year and schools are being notified in the normal manner.

This Government will endeavour to protect front line education services as best as possible. However, this must be done within the context of bringing our overall public expenditure back into line with what we can afford as a country. All areas of Government, including Gaelscoileanna, will have to manage on a reduced level of resources. The challenge will be to ensure that the resources that are being provided are used to maximum effect

Schools Refurbishment

41. **Deputy Brendan Griffin** asked the Minister for Education and Skills if a school (details supplied) in County Kerry will qualify for funding under the summer works scheme. [5594/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm that the school referred to by the Deputy has submitted an application for the works as specified under the 2011 Summer Works Scheme.

Applications for funding under the scheme are currently being processed in my Department, as outlined in the Circular governing the operation of the Scheme, and the school authority will be notified of the decision on the application shortly.

Literacy Levels

42. **Deputy Catherine Murphy** asked the Minister for Education and Skills the measures he

plans to take in relation to responding to high illiteracy rates; and if he will make a statement on the matter. [5597/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The new Programme for Government contains commitments in relation to the improvement of literacy levels in two key areas.

As part of its Labour Market Policy, the Government will make literacy and basic workplace skills a national priority, with literacy training incorporated into a wider variety of further education and training programmes. The Government will also address the widespread and persistent problem of adult literacy through the integration of literacy in vocational training and through community education under its lifelong learning policy.

At school level and in early education, the Programme for Government contains a commitment to the development and implementation of a national literacy strategy. This Government believes that no child should leave an Irish school unable to read and write.

My Department is currently undertaking a public consultation process on a draft national strategy on literacy and numeracy covering the period up to 2020. There was a very strong response to the request for submissions up to the deadline of the end of February. In excess of 460 written submissions were received and these are being examined in detail. In parallel, focused consultation meetings are being held with groups of key stakeholders.

Targets and timescales for the implementation of various aspects of the literacy strategy will be set out in the finalised strategy, following consideration of the submissions and meetings with key stakeholders. Consultation meetings will conclude in early May and the strategy will be prepared thereafter with the input of a National Literacy and Numeracy Implementation Group, which I intend to appoint shortly. In parallel with the preparation of the strategy, preparatory work for implementation is taking place in my Department and its partner agencies.

Pupil-Teacher Ratio

43. **Deputy Catherine Murphy** asked the Minister for Education and Skills if his attention has been drawn to the fact that primary schools in County Kildare have the highest class sizes in the country; if he plans to deliver a more equitable approach to the allocation of resources; and if he will make a statement on the matter. [5598/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Class size data for primary schools is compiled by my Department on an annual basis and is available on the Department's website.

The staffing schedule is the mechanism used for allocating mainstream teaching posts to all schools irrespective of what county they are in.

School authorities are advised in the staffing schedule to ensure that the number of pupils in any class is kept as low as possible, taking all relevant contextual factors into account (e.g. classroom accommodation, fluctuating enrolment etc.). In particular, they should ensure, as far as possible, that there is an equitable distribution of pupils in mainstream classes and the differential between the largest and the smallest classes is kept to a minimum.

With over 20,000 individual classes spread across all schools throughout the country there will always be differences in individual class sizes.

Schools Building Projects

44. **Deputy Frank Feighan** asked the Minister for Education and Skills the position regarding the provision of a new school for Carrigallen, County Leitrim. [5625/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm that the school to which the Deputy refers applied to my Department for large scale capital funding for a school building project to provide an extension.

In accordance with the published criteria for large scale building projects, the project for this school has been assigned a band 2 rating. 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 for the school in question at this time.

45. **Deputy Frank Feighan** asked the Minister for Education and Skills the position regarding the provision of the new second level school for Ballinamore, County Leitrim. [5626/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The new post primary school to be provided in Ballinamore, County Leitrim is one of eight schools which were approved for inclusion in the 3rd bundle of schools to be procured via Public Private Partnership.

This bundle was handed over to the National Development Finance Agency (NDFA) in July 2010 to commence the tender procurement process.

This process is ongoing and a number of consultation meetings have been held with the shortlisted bidders. Subject to the successful completion of this process, including securing the necessary local authority consents, it is anticipated that the schools in this bundle will be ready for occupation in September 2013.

School Curriculum

46. **Deputy Denis Naughten** asked the Minister for Education and Skills his views on the report of the Expert Group on Future Skills Needs regarding the level of achievement in maths among Irish students; if he will implement the recommendations of the report; and if he will make a statement on the matter. [5634/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Report of the Expert Group called for the introduction of bonus points for higher level mathematics in the Leaving Certificate. I am pleased to say that all third level institutions have collectively decided to operate a bonus points scheme for higher level mathematics for a four year trial period from 2012 to 2015 with a review in 2014. A bonus of 25 points will be allocated to students who achieve a grade D3 or above in Leaving Certificate higher level mathematics.

As recommended in that report, a major programme of reform in mathematics in second level schools has begun in all schools in September 2010, building on the experiences of 24 project schools which started the programme in 2008. Project Maths is designed to encourage better understanding of maths, to reinforce the practical relevance of maths to everyday life, and to ensure better continuity between primary and second level, and junior and senior cycle. A key objective is to improve attainment levels in maths and to encourage more students to take the subject at higher level

A national programme of professional development for all teachers began in 2009, and will continue to at least 2013. Some €5 million was spent on this area in 2010 and an estimated €3 million in 2009. This investment will be continued in 2011 and funds have also been provided for the development of a post graduate programme for teachers who need additional support.

A Project Maths implementation support group was established as an industry/education partnership to examine and report to the previous Minister on how best stakeholders from business, second level and higher education can work together to achieve the objectives of Project Maths. The group was chaired by Mr Frank Turpin, former Education Manager in INTEL Ireland, and nominee of the Irish Business and Employer's Confederation on the National Council for Curriculum and Assessment, and the group includes representation from the Expert Group on Future Skills Needs. The group reported in June 2010 making recommendations on:

- awareness measures which promote positive attitudes to mathematics and encourage more students to consider careers in this area;
- how the partnership can add value to the teaching and learning approaches and support the curriculum in Project Maths; and
- how best increased take-up of mathematics at higher level can be encouraged.

The group's work includes examination of a range of reports relating to mathematics including that of the Expert Group on Future Skills Needs. It is fully accepted that Ireland must improve standards significantly in mathematics to keep pace with the demands of the smart economy.

My Department is also engaging with stakeholders on a draft literacy and numeracy plan which is designed to promote a significant improvement of literacy and numeracy levels of children across primary and second level schools. Taken together, these initiatives are designed to ensure that literacy and numeracy are given top priority in schools, and that our young people develop the skills they need to participate effectively in today's society.

47. **Deputy Denis Naughten** asked the Minister for Education and Skills the current status of the project maths programme; and if he will make a statement on the matter. [5635/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Project Maths began in all second level schools in September 2010 for first year students in Junior and Leaving Certificate. The initiative builds on the experiences of 24 project schools which began the programme in 2008. Project Maths is being implemented on a phased basis over a three period across 5 strands of mathematics as follows:

- Phase 1: Strand 1 — Statistics and Probability + Strand 2 — Geometry and Trigonometry
- Phase 2: Strand 1+2+ Strand 3 — Number + Strand 4 — Algebra
- Phase 3: Strand 1+2+3+4+ Strand 5 — Functions.

Project Maths is designed to encourage better understanding of maths, to reinforce the practical relevance of maths to everyday life, and to ensure better continuity between primary and second level, and junior and senior cycle. A key objective is to improve attainment levels in maths and to encourage more students to take the subject at higher level

A national programme of professional development for all teachers began in 2009, and will continue to at least 2013. Some €5 million was spent on this area in this area in 2010 and an estimated €3 million in 2009. This investment will be continued in 2011 and funds have also been provided for the development of a post graduate programme for teachers who need additional support.

The NCCA website *www.ncca.ie* sets out the draft syllabus for Strands 1, 2, 3, 4 and 5 at junior and senior cycle, a draft common mathematics course for the first year in junior cycle, and a Geometry course. The website *www.ProjectMaths.ie* sets out additional supports in the

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form of teaching and learning plans, a forum for teachers, and additional resources. These resources will expand over time as each of the strands is implemented.

A high level of mathematical achievement is vital for Ireland's future competitiveness in the knowledge economy. We urgently need to improve attainment levels in maths generally and to encourage more students to take higher level maths.

School Transport

48. **Deputy Tom Fleming** asked the Minister for Education and Skills his views on proposed changes to school transport (details supplied). [5644/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): The changes to school transport relating to school transport provision under the Closed School Rule, were announced in the 2011 budget by the previous Fianna-Fáil-Green Party Government and derive from a recommendation in the recently published Value for Money Review of the scheme. This review was conducted in accordance with criteria for such reviews and included independent expertise. In essence the change to the rule means that the distance criteria will be applied uniformly and equitably on a national basis. From the 2012/2013 school year, school transport eligibility for all pupils newly entering national schools will be determined by reference to the nearest national school, having regard to ethos and language.

Existing eligible primary pupils availing of transport under the Closed School Rule will retain transport eligibility for the duration of their schooling, provided the requisite distance is met.

Ceapachán Múinteoirí

49. **D'fhiafraigh Deputy Pearse Doherty** den Aire Oideachais agus Scoileanna maidir leis an Teastas Gaeilge do Mhúinteoirí Iar-bhunscoile, cé mhéad múinteoir nua-cheaptha a rinne an TGMI i mbliana; cé mhéad iarrthóir sna blianta 2007-2010, agus cé mhéad pas agus teip, a bhí ann; agus, sa chás nach n-éiríonn le hiarrthóir, an féidir ceapachán a dhéanamh, pé scéal, i scoileanna Gaeltachta, agus i scoileanna eile ina bhfuil an Ghaeilge mar ghnáthmheán teagaisc. [5648/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Is mian liom a chur in iúl don Teachta nach gcoinníonn an Roinni staitisticí/eolas ar féidir teacht orthu go héasca faoin líon múinteoirí a ceapadh agus cáilfocht TGMI acu. Níl múinteoirí i dteideal liúntas ar bith as cáilfocht den saghas sin a bheith ina seilbh.

Léiríonn an tábla thíos na torthaí a fuair múinteoirí a sheas an scrúdú don Teastas Gaeilge do Mhúinteoirí Iarbhunscoile ó 2007- 2010.

BLIAIN	IOMLÁN NA nIARRTHÓIRÍ	PAS	TEIP
2007	83	67	16
2008	113	96	17
2009	65	62	3
2010	63	50	13

Éilítear an Teastas Gaeilge do Mhúinteoirí Iarbhunscoile chun an riachtanas Gaeilge a shásamh chun duine a cheapadh (a) mar mhúinteoir in Iarbhunscoil Gaeltachta (b) mar mhúinteoir in Iarbhunscoil inarb í an Ghaeilge an gnáthmheán teagaisc (i gcás ábhar seachas an Ghaeilge) nó (c) mar mhúinteoir a bheidh ag teagasc aon ábhair (seachas an Ghaeilge) trí mheán na Gaeilge in aon iarbhunscoil. Más rud é nach bhfuil an Teastas i seilbh an mhúinteora ar é/í a

cheapadh ceaptar é/í faoi chonradh ar feadh bliana amháin agus bliain aige/aici chun an céanna a shealbhú. Mura shealbhaíonn ní mór an post a athfhógairt.

Scoileanna Lán-Ghaeilge

50. **D’fhiafraigh Deputy Pearse Doherty** den Aire Oideachais agus Scoileanna cé mhéad iarbhunscoil Ghaeltachta atá ann ina bhfuil an Ghaeilge mar ghnáthmheán teagaisc (maidir le hábhair seachas an Ghaeilge); agus cad iad ainmneacha na scoileanna seo. [5649/11]

51. **D’fhiafraigh Deputy Pearse Doherty** den Aire Oideachais agus Scoileanna cé mhéad iarbhunscoil Ghaeltachta atá ag teagasc roinnt de na hábhair trí mheán na Gaeilge; agus cad iad ainmneacha na scoileanna seo. [5650/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Tá fúm ceisteanna 50 agus 51 a thógáil le chéile. Foilsíonn mo Roinnse liosta de na hiarbhunscoileanna uile sa tír ar a suíomh gréasáin www.education.ie. Tá iarbhunscoileanna a sholathair oideachas trí mheán na Gaeilge i 2009/2010 do chuid dá ndaltaí nó dóibh go léir aicmighe mar “1” faoi cholún 5 ar an liosta seo. Tá an liosta de an hiarbhunscoileanna a bhfuil rangú “1” acu le fáil don Teachta ar an gcomhad leis seo.

Iarbhunscoileanna a sholáthraigh oideachas i 2009/10 trí mheán na Gaeilge d’iomlán a gcuid daltaí nó do chuid díob

An Roinn Oideachais agus Eolaíochta

Contae	Baile	Ainm na Scoile	Uimh. Rolla
Co. Cheatharlach	Easca	Gaelcholáiste Cheatharlach	70440A
Co. an Chlair	Ennis	Ennis Community College	70830N
Co. Chorcaí	Gleann Maghair	Colaiste An Phiarsaigh	62301N
Co. Chorcaí	Baile Mhic Ire	Colaiste Ghobnatan	70920O
Co. Chorcaí	Ballincollig	Coláiste Choilm	71103K
Co. Chorcaí	Bantry	St Goban’s College, Sheskin	70930R
Co. Chorcaí	Béal Atha an Ghaorth	Scoil Mhuire	70931T
Co. Chorcaí	Cobh	Cobh Community College, Carrignafoy	70970G
Co. Chorcaí	Fermoy	Coláiste an Chraoibhin, Duntaheen Road	70990M
Co. Chorcaí	Mallow	Davis College, Summerhill	71020G
Co. Chorcaí	Youghal	Pobalscoil na Tríonóide	91513S
Coraigh	Corcaigh	Gaelcholáiste Mhuire, An Mhainistir Thuaidh	62531H
Coraigh	Cork	Coláiste Chríost Rí, Capwell Road	62560O
Coraigh	Corcaigh	Coláiste Daibhéid, An t-Ardán Theas	71124S
Ath Cliath	Baile Atha Cliath 7	Coláiste Mhuire, Bothar Rath Tó	60450U
Ath Cliath	Baile an Bhóthair	Coláiste Íosagáin, Bóthar Stigh Lorgan	60042F
Ath Cliath	Bóthair Stigh Lorgan	Coláiste Eoin, Baile an Bhóthair	60041D
Ath Cliath	Glasnaíon	Scoil Chaitriona, Bóthar Mobhí	60700R
Ath Cliath	Baile Atha Cliath 13	Gealcholáiste Reachrann, Bóthar Mhainistir na Gráinsí, Domhnach Míde	76085N
Ath Cliath	Baile Atha Cliath 22	Coláiste Chilliaín, Bóthar Nangor, Cluain Dolcáin	70100W
Ath Cliath	Baile Atha Cliath 24	Coláiste de hÍde, Br Thish Motháin Thuaidh, Br Chaisleáin Thigh Mótháin,	70021D
Ath Cliath	Leamhcán	Coláiste Cois Life, Gleann an Ghrífin	76065H
Co. Dhun na nGall	Árainn Mhór	Gairmscoil Mhic Diarmada	71244F
Co. Dhun na nGall	Bun Chrannta	Gaelcholaiste Chineál Eoghain, Muileann Thulaigh Gharbháin	76107U

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Contae	Baile	Ainm na Scoile	Uimh. Rolla
Co. Dhun na nGall	Doirí Beaga	Coláiste Phobail Cholmille, Baile Úr, Oileán Thoraí	76079S
Co. Dhun na nGall	Highroad	Coláiste Ailigh, Sprackburn House	76081F
Co. Dhun na nGall	Leifear	Gairm Scoil Chú Uladh, Béal an Átha Móir, An Clochan	71242B
Co. Dhun na nGall	Leitir Ceanainn	Pobalscoil Chloich Cheannfhaola, An Fálcarrach	91408V
Co. Dhun na nGall	Leitir Ceannainn	Pobalscoil Ghaoth Dobhair, Doirí Beaga	91409A
Co. na Gaillimhe	An Spideal	Colaiste Chroi Mhuire	63130R
Co. na Gaillimhe	ATHENRY	Gaelcholaiste an Eachréidh, c/o Co Galway VEC Offices, Coiléar Bán	76102K
Co. na Gaillimhe	Corr na Mona	Gairmscoil Fheichin Naofa	71320S
Co. na Gaillimhe	Indreabhán	Colaiste Cholmille	71250A
Co. na Gaillimhe	Oileáin Arann	Coláiste Ghobnait, Inis Oírr	71370K
Co. na Gaillimhe	Ros Muc	Gairmscoil na bPiarsach	71380N
Co. na Gaillimhe	Árainn	Gairmscoil Éinne Oileain Arann, Cill Rónain, Inis Mór	71300M
Co. na Gaillimhe	An Cheathrú Rua	Scoil Chuimsitheach Chiaráin	81012N
Co. na Gaillimhe	Carna	Scoil Phobail Mhic Dara	91411K
Gaillimh	Gaillimh	Coláiste Iognáid S.J., Br. Na Mara	62970K
Gaillimh	Gaillimh	Coláiste na Coiribe, Bothar Thuama	71330V
Co. Chiarraí	Daingean Uí Chúis	Coláiste Íde, Baile an Ghóilín	61301I
Co. Chiarraí	Caherciveen	Coláiste na Sceilge	76068N
Co. Chiarraí	Trá Lí	Gaelcholaiste Chiarraí, Tobar Mhaigh Dor	70560K
Co. Chiarraí	An Daingean	Pobalscoil Chorca Dhuibhne, Bóthar an Spá	91511O
Co. Chill Dara	An Curragh	Gael Cholaiste Chill Dara, Loiste, Herbert	68072I
Co. Chill Chainnigh	Bóthar Urmhumhan	Coláiste Pobail Osraí	70641K
Co. Chill Chainnigh	New Street,	City Vocational School	70610W
Co. Luimnigh	Newcastle West	Desmond College, Station Road	71790J
Luimneach	Luimneach	Laurel Hill Coláiste FCJ, Cnoc Na Labhras	64270P
Luimneach	LUIMNEACH	Gaelcholaiste Luimnigh, Meal Sior Anraí	76101I
Co. Lu	Dún Dealgan	Colaiste Rís, Sraid an tSéipéil	63880O
Co. Mhaigh Eo	Tuar Mhic Éadaigh	Coláiste Mhuire	64691Q
Co. Mhaigh Eo	Ballina	Colaiste Chomain, Rossport	72140V
Co. na Mí	Athboy	Coláiste Pobail Rath Cairn, Ráth Cairn	71991T
Co. Mhuineachain	Muineachán	Coláiste Oiriall, Ard Féa	76091I
Co. Uibh Fhaili	Clara	Ard Scoil Chiarain Naofa, Frederick St.	72530L
Co. Thiobrad Arann	Nenagh	Nenagh Vocational School, Dromin Road	72440K
Co. Thiobrad Arann	Thurles	Coláiste Mhuire Co-Ed, Castlemeadows	72490C
Co. Thiobrad Arann	Clonmel	Central Technical Institute	72420E
Co. Phort Lairge	Rinn O gCuanach	Meánscoil San Nioclás	76066J
Port Lairge	Waterford	Gaelcholaiste Phort Lairge, c/o Rugby Club, Kilbarry Road	68078U
Co. na hIarmí	Athlone	Athlone Community College, Retreat Road	71410T
Co. Loch Garman	Brownswood	Meanscoil Gharman	68080H
Co. Chill Maintain	Arklow	Gaelcholaiste na Mara	76106S
Co. Chill Maintain	Bré	Coláiste Raithín, Bóthar Florence	70821M

School Transport

52. **Deputy Denis Naughten** asked the Minister for Education and Skills if his attention has been drawn to the financial implications for families of the introduction by the previous

Government of a €50 per child charge for primary school pupils; the reason for the removal of the closed school policy for the provision of school transport; and if he will make a statement on the matter. [5651/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): The €50 charge announced by the previous Fianna Fáil-Green Party Government in the 2011 budget and which applies to all eligible primary pupils is being introduced to ensure that school transport provided for these pupils is fully utilised in a cost efficient manner. Given that the cost per child of this service is approximately €1,020 per year, it is essential to ensure that the seats provided on buses daily are utilised to the maximum extent and that services are only provided where warranted. We all have to understand the legacy of economic mismanagement which the last government gave to the country

Eligible pupils holding medical cards and pupils with special educational needs will be exempted from paying the charge. In addition, the maximum family charge to be levied at primary level for eligible pupils will be €110 while the overall combined maximum charge per family is not being increased from the current rate of €650 per annum. Parents will continue to be given the option of spreading the annual payments over two instalments in July and December.

The changes to school transport relating to school transport provision under the Closed School Rule also announced in the 2011 budget, derive from a recommendation in the recently published Value for Money Review of the scheme. This review was conducted in accordance with criteria for such reviews and included independent expertise. In essence the change to the rule means that the distance criteria will be applied uniformly and equitably on a national basis. From the 2012/2013 school year, school transport eligibility for all pupils newly entering national schools will be determined by reference to the nearest national school, having regard to ethos and language.

Existing eligible primary pupils availing of transport under the Closed School Rule will retain transport eligibility for the duration of their schooling, provided the requisite distance is met.

Social Welfare Benefits

53. **Deputy Finian McGrath** asked the Minister for Social Protection if she will support the case of a family (details supplied) regarding housing. [5600/11]

Minister for Social Protection (Deputy Joan Burton): In order to qualify for rent supplement a person must have been residing in private rented accommodation or accommodation for homeless persons or an institution (or any combination of these) for a period of 183 days within the preceding 12 months of the date of claim for rent supplement. A person may also qualify for rent supplement where an assessment of housing need has been carried out within the 12 months preceding the date of claim and the person is deemed by the relevant local authority to be eligible for and in need of social housing support.

In all other cases, a person who wishes to apply for rent supplement is referred, in the first instance, for an assessment of eligibility for social housing support by the local housing authority in the area where the claim to rent supplement is made (and the person intends to reside). Only when the person has been assessed as being eligible for and in need of social housing support, does the person become eligible for consideration for rent supplement.

The person concerned has advised that she is currently awaiting completion of a housing needs assessment by the relevant local authority and that when this assessment is completed she will then apply for rent supplement.

54. **Deputy Seán Kenny** asked the Minister for Social Protection if she will arrange child dependent allowance in respect of a person (details supplied). [5605/11]

Minister for Social Protection (Deputy Joan Burton): The person concerned is in receipt of a child dependent allowance with effect from 2 March 2011.

Inquiries are continuing regarding the entitlement of the person concerned to an arrears payment in respect of this child. On completion of these inquiries a decision will be made on the entitlement and the person concerned will be advised of the outcome.

Social Welfare Appeals

55. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the grounds on which jobseeker's allowance was refused in the case of a person (details supplied) in County Kildare; if and when it is expected to restore payment; and if she will make a statement on the matter. [5633/11]

Minister for Social Protection (Deputy Joan Burton): Payment of jobseeker's allowance is subject to a means test. Following a review of the allowance the person concerned was assessed with the capital value of farmland which she owns but is not using or leasing. As her means were in excess of the statutory limits for receipt of the allowance, her claim was refused with effect from 12 August 2009.

While a formal decision issued to her advising that her claim had been disallowed, unfortunately an administrative error was made in recording this decision. She was inadvertently paid jobseeker's allowance, equivalent to the full personal qualified adult rate and two child dependant rates from 12 August 2009 to 15 February 2011.

She was notified of this decision to disallow her claim on the grounds that her means were in excess of the statutory limit for award of jobseeker's allowance and she appealed this decision.

Her appeal was subsequently heard by a social welfare appeals officer on 15 February 2011 who, having considered all the available evidence, disallowed her appeal after conducting an oral hearing. Her payment to jobseeker's allowance was disallowed on foot of the appeals determination.

The person concerned then applied for and is in receipt of supplementary welfare allowance at weekly rate of €370.40 from 17 February 2011 and a mortgage interest subsidy of €887.33 per month and this is now being investigated.

Sports Capital Programme

56. **Deputy Michael Creed** asked the Minister for Tourism, Culture and Sport if there will be sports capital scheme for 2011/2012; if an application process will be opened; and if he will make a statement on the matter. [5593/11]

Minister for Tourism, Culture and Sport (Deputy Jimmy Deenihan): No decision has been taken yet on a new round of the Sports Capital Programme.

Departmental Schemes

57. **Deputy Mattie McGrath** asked the Minister for Communications, Energy and Natural Resources if his attention has been drawn to the fact that the criteria for the warmer homes scheme (details supplied) has changed recently and is affecting the completion of work that has already started; and if he will make a statement on the matter. [5595/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The Sustainable Energy Authority of Ireland (SEAI) administers the warmer homes scheme (WHS) on behalf of my Department. The scheme aims to provide energy efficiency improvements to homes in, or at risk of, energy poverty. The scheme, which is delivered through a combination of community-based organisations (CBOs) and a panel of private contractors, is available nationwide and was delivered to 24,291 homes in 2010. The scheme has addressed over 64,000 fuel poor homes since 2000 with a target delivery of an additional 17,500 homes in 2011.

The objective of the scheme is to assist the maximum number of vulnerable homes possible, and in particular to ensure that support is effectively targeted at the most vulnerable homes.

The key eligibility criteria for the scheme have been that the householder is in receipt of a fuel allowance, invalidity or disability benefit with some additional flexibility allowed for exceptional hardship cases. The fuel allowance is a supplementary allowance available to persons already in receipt of benefits including disability and invalidity benefit. However, the fuel allowance is means tested and is therefore the best available indicator of the lowest income and most vulnerable homes. In addition to utilising the fuel allowance criterion the SEAI and the community-based organisations work in close partnership with local networks of poverty and community support organisations including public health nurses, MABS and the Society of St. Vincent de Paul to identify particularly vulnerable homes.

It would not be normal practice under the scheme for work to be started and not completed. If the Deputy wishes to forward details of specific instances to my office I would be happy to have my officials pursue the matter. Alternatively, queries in relation to individual applications can be addressed to the WHS hot line — 1800 250 204 where all queries from scheme applicants and public representatives are dealt with immediately.

Proposed Legislation

58. **Deputy Caoimhghín Ó Caoláin** asked the Minister for the Environment, Heritage and Local Government his plans to amend the Building Control Act to address the situation facing trained and qualified architects who are effectively being prevented from registering to use that title due to the excessive registration fee; and if he will make a statement on the matter.

[5582/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): I have no plans to amend the Building Control Act 2007 along the lines suggested.

Part 3 of the Act enables eligible persons engaged in the provision of architectural services to register for the use of the title architect. The Royal Institute of the Architects of Ireland (RIAI) has been designated as the registration body for the purposes of Part 3 of the Act.

A number of routes to registration are provided for in sections 14, 15, 16 and 22 of the Act having regard to the differing approaches to gaining the requisite knowledge, skills and experience adopted by individual applicants. Section 22, in particular, includes a provision to address the position of a category of practically trained persons who had already been providing architectural services in Ireland commensurate with those understood as being provided by architects for the purpose of the Building Control Act 2007 for a period of ten years at the time the Act became law. This provision is transitional in nature and enables this category of persons to become registered once they have been assessed as eligible for registration by the Technical Assessment Board in accordance with the practical experience assessment procedure.

Taken in their totality the various routes to registration provided for under Part 3 of the Act represent a registration process that is open, fair and transparent.

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Section 62 deals with the specification of registration fees and, importantly, requires that a fee specified must not in any case exceed the total of the costs in providing the services for which the fee is paid and the reasonable costs incurred by the registration body in collecting, accounting for and administering the fee. I understand that the registration body has confirmed that the recommended fees are in line with the requirements of section 62.

The Act does not seek to regulate the function or role of architects. Its purpose rather is to provide statutory protection of the title architect so that only those who are suitably qualified and registered will be lawfully entitled to use the title. Eligible persons who decline to register can continue to practice architecture and provide architectural services but they cannot use the title architect or sign certificates to that effect.

Registration is not obligatory and the decision by eligible persons to seek registration, now or at a future date, will typically be made having regard to commercial considerations based on each individual's own assessment of their existing business potential and the additional business opportunities they anticipate that registration may bring.

Water and Sewerage Schemes

59. **Deputy Brendan Griffin** asked the Minister for the Environment, Heritage and Local Government the position regarding the provision of a sewerage scheme for Waterville, County Kerry; and if he will make a statement on the matter. [5583/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): The Water Services Investment Programme 2010-2012, a copy of which is available in the Oireachtas Library, provides for the development of a comprehensive range of new water services infrastructure in County Kerry. The Waterville water and sewerage scheme (Design/Build/Operate Contract) is included in the programme amongst the list of contracts in the county to start in the period 2010-2012.

Work on the water distribution and sewer network contract for Waterville is substantially completed. In December 2010 my Department advised Kerry County Council that funding is available to allow it award the contract for the Waterville Water and Wastewater Treatment Plants Design/Build/Operate contract, at a cost of €8.67 million. The contract will be funded on a shared basis between my Department and Kerry County Council.

60. **Deputy Brendan Griffin** asked the Minister for the Environment, Heritage and Local Government the position regarding the provision of a sewerage scheme for Killcummin, County Kerry; and if he will make a statement on the matter. [5584/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): The Water Services Investment Programme 2010-2012, a copy of which is available in the Oireachtas Library, provides for the development of a comprehensive range of new water services infrastructure in County Kerry.

The Killcummin sewerage scheme is included in the 2010-2012 programme as a scheme at planning. In view of the high unit cost of providing the scheme, Kerry County Council has been asked to review its scope before the council can be given approval to prepare contract documents for the work.

Motor Taxation

61. **Deputy Seán Kenny** asked the Minister for the Environment, Heritage and Local Govern-

ment if he will confirm that the annual car tax renewal for a car (details supplied) has been increased from €333 in 2010 to €447 in 2011, which amounts to an increase of approximately 33 33%; if it is proposed to review this increase in the next budget; and if he will make a statement on the matter. [5613/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): I am not in a position to confirm the matter raised in the question. Motor tax rates were last increased in the budget of 2009 and the increases took effect from 1 January 2009.

Building Regulations

62. **Deputy Catherine Murphy** asked the Minister for the Environment, Heritage and Local Government his plans to introduce a grant scheme for the remediation of homes affected by pyrite in cases when all other remedies have been exhausted; and if he will make a statement on the matter. [5614/11]

63. **Deputy Catherine Murphy** asked the Minister for the Environment, Heritage and Local Government the action he will take to regulate the quarry industry in view of the problems encountered with pyrite; and if he will make a statement on the matter. [5615/11]

64. **Deputy Catherine Murphy** asked the Minister for the Environment, Heritage and Local Government the measures he will introduce to ensure adequate consumer protection is provided to those purchasing a home in view of the inadequacy of the Home Bond guarantee in relation to pyrite; and if he will make a statement on the matter. [5616/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 62 to 64, inclusive, together.

Appropriate measures necessary to prevent the use of pyritic material as hardcore filler in underground foundations in buildings have already been taken by my Department since the current pyrite problems first manifested themselves in mid-2007. These measures include: clear communication with local authorities, relevant public bodies and industry stakeholders to bring the matter and their responsibilities in relation to it to the notice of all concerned; the publication by the National Standards Authority of Ireland (NSAI), in response to my Department's intervention, of a revised Standard Recommendation on the use of aggregates as infill for civil engineering and road construction work, the new version of which came into effect on 7 December 2007 and which is intended to address the quality standards of new homes and buildings insofar as problems relating to pyrite are concerned; the amendment of the Technical Guidance Document (TGD-C) of the Building Regulations to reference the amended NSAI Special Recommendation, and give it practical effect in the context of building works. A copy of the relevant amendment to TGD-C is available on my Department's website at www.environment.ie. These measures should greatly assist in preventing the recurrence of pyrite problems in housing.

The remediation of homes affected by pyrite is a matter for the parties concerned, namely the building owner, the relevant developer and the builder's insurers. Where the construction of a building is the subject of a contract between the client and the builder enforcement is a civil matter. The question of the introduction of a publicly funded grant scheme does not therefore arise. I have no function in relation to any scheme run by Homebond which is a private company.

Consumer protection in the area of quality construction of new dwellings is a critical issue and I have asked my Department to prioritise the formulation of policy proposals that will enhance compliance and enforcement of the building regulations in general.

Planning Issues

65. **Deputy Catherine Murphy** asked the Minister for the Environment, Heritage and Local Government the measures he will introduce to amend the system of insurance bonds which are required by local authorities in advance of a development commencing. [5617/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): Sections 34(4)(g) and 180(2)(b) of the Planning and Development Act 2000 provide respectively that a planning authority may attach conditions to a planning permission requiring the giving of adequate security for the satisfactory completion of a proposed development and, if a development is not subsequently completed satisfactorily, may apply a security, given under section 34, for the satisfactory completion of that development.

My Department has consistently advised planning authorities that it is essential that planning permissions for residential developments are subject to conditions under which an acceptable security is provided by way of bond, cash deposit or otherwise so as to secure the satisfactory completion of those developments. Planning conditions must require the giving of sufficient security prior to commencement of development and planning authorities should ensure that they are in a position to draw down the security in cases where a developer fails satisfactorily to complete a residential development, or phase of a development, within the specified period.

It is a matter for the planning authority to determine both the level of the security, the duration and the type of security (e.g. the lodgment of a bond from a financial institution such as a bank, insurance company or building society, a cash lodgment or a letter of guarantee from the Construction Industry Federation) that will be required for each residential development. The amount of the security, the duration and the terms on which it is required to be given, must enable the planning authority, without cost to itself, to complete the necessary services (including roads, footpaths, water mains, sewers, lighting and open space) to a satisfactory standard in the event of default by the developer. Similarly, the enforcement of planning conditions, including conditions in relation to bonds, is a matter for the relevant planning authority. The Interim Report of the Advisory Group on Unfinished Housing Developments published on 16 February 2010 found that practical experience in the operation of bonds by local authorities indicates that they can be problematic and time consuming to liquidate. The Advisory Group considers that the issue of securities and bonds merits further examination, including the use of more liquid securities such as cash deposits coupled to careful phasing of developments in a sequential manner to minimise the working capital impact. It is likely that there will be specific recommendations in the Group's Final Report which is due to be submitted to my colleague, Minister Penrose, shortly. Arising from this analysis, I anticipate that my Department will consider the recommendations and assess what further policy advice and action are necessary in this regard.

Flood Relief

66. **Deputy Catherine Murphy** asked the Minister for the Environment, Heritage and Local Government his views on the introduction of a local authority certification process following the implementation of flood alleviation measures; and if he will make a statement on the matter. [5618/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): I assume that the question refers to flood mitigation works carried out by local authorities. Under existing arrangements funding to the authorities for such works is provided by the Office of

Public Works (OPW) and issues arising in this context are a matter for my colleague the Minister for Finance who has responsibility for OPW.

Local Authority Housing

67. **Deputy Catherine Murphy** asked the Minister for the Environment, Heritage and Local Government his plans to amend the local government performance indicators to include a set of indicators around the completion and taking in charge of housing estates; and if he will make a statement on the matter. [5619/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): The report Service Indicators in Local Authorities 2009 published by the Local Government Management Agency (LGMA), sets out the latest information on local authority performances in 2009 across a range of 46 service indicators, including taking estates in charge. The taking estates in charge indicator was first introduced as a new service indicator in the 2008 report. The service indicator reports are available on the LGMA website www.lgma.ie.

Local Government Reform

68. **Deputy Catherine Murphy** asked the Minister for the Environment, Heritage and Local Government his plans to commence a new process in relation to the reform of local government; the process he intends to use; the time line involved; and if he will make a statement on the matter. [5620/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): A range of work is already under way or in planning arising from the Report of the Local Government Efficiency Review Group and I am reviewing the next immediate steps to augment this. I will also be considering wider proposals to renew and develop the local government system in line with the Government's programme and building on relevant research and analysis already undertaken in this area.

Key objectives under the Government Programme include devolution of greater decision-making to local level, strengthening the powers and functions of local authorities; enhancing the development and leadership role of local government and strengthening its structures and funding arrangements. I intend bringing proposals to Government in due course on action to take forward the proposals in the Programme to strengthen the local government system and improve its capacity to meet current and future challenges and to make a substantial contribution to the national recovery effort.

Water and Sewerage Schemes

69. **Deputy Denis Naughten** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No. 194 of 15 December 2010, the position regarding the introduction of such a grant scheme; and if he will make a statement on the matter. [5646/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): The introduction of a grants scheme for any purpose must be managed within current budgetary constraints. Insofar, as support for the upgrading of septic tanks is concerned, the matter is under review in my Department, including in the context of finalising proposals to respond to the 2009 judgment of the European Court of Justice regarding Ireland's failure to adopt the necessary legislation to comply with Articles 4 and 8 of Council Directive 75/442/EEC (the

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Waste Directive) as regards domestic waste waters disposed of in the countryside through septic tanks and other individual waste water treatment systems.

Under my Department's Rural Water Programme, grants are available to provide groups of households with the opportunity of connecting to public sewerage networks through communal sewage collection systems that are, in turn, connected to local authority sewers. Alternatively, the communal sewage collection system may be connected to sewage treatment facilities provided by the groups themselves. The rate of grant available for Group Sewerage Schemes is €2,031.58 per house or 75% of the cost of the scheme, whichever is the lesser.

Garda Training

70. **Deputy Seán Kenny** asked the Minister for Justice and Law Reform the number of training places and courses available to Gardaí in the Templemore Training Centre and Garda Headquarters; the number who attended courses; the capacity for courses in each year from 2005 to date in 2011; the Garda budget allocated to fund ongoing training courses for gardaí for each year from 2005 to date in 2011 and the duration of each course; the maximum number of gardaí per course. [5564/11]

Minister for Justice and Law Reform (Deputy Alan Shatter): I have requested the information from the Garda Commissioner and I will write to the Deputy directly when this information is to hand.

Garda Operations

71. **Deputy Seán Kenny** asked the Minister for Justice and Law Reform the Garda budget allocated to the Garda neighbourhood watch scheme in 2008, 2009, 2010 and to date in 2011 for the Dublin region. [5565/11]

Minister for Justice and Law Reform (Deputy Alan Shatter): I have sought the relevant information from the Garda authorities and I will respond to the Deputy as soon as the information is available.

Garda Stations

72. **Deputy Seán Kenny** asked the Minister for Justice and Law Reform if he will allocate funding for the much needed refurbishment of the custody area and front public office for a Garda station (details supplied) in Dublin 5. [5566/11]

Minister for Justice and Law Reform (Deputy Alan Shatter): The programme of replacement and refurbishment of Garda accommodation around the country is based on agreed priorities established by An Garda Síochána. This programme is advanced by the Garda authorities working in close cooperation with the Office of Public Works, which has responsibility for the provision and maintenance of Garda accommodation. I am informed by the Garda authorities that plans for refurbishment work in the Garda station referred to by the Deputy are being progressed.

Garda Equipment

73. **Deputy Seán Kenny** asked the Minister for Justice and Law Reform the number of aircraft and helicopters currently in the Garda Air Support Unit [5567/11]

Minister for Justice and Law Reform (Deputy Alan Shatter): The Garda Air Support Unit currently consists of one fixed wing Britten Norman Defender aircraft and two EC135 helicopters.

Deportation Orders

74. **Deputy Denis Naughten** asked the Minister for Justice and Law Reform the procedure for a person to apply for consideration to enter Ireland from a visa exempt country (details supplied); and if he will make a statement on the matter. [5606/11]

Minister for Justice and Law Reform (Deputy Alan Shatter): In reply to the Deputy's Question, when a person has been deported on foot of a Deportation Order, it is open to such a person to apply to my Department for revocation of the Deportation Order pursuant to the provisions of Section 3(11) of the Immigration Act, 1999, (as amended), if there has been a change in the circumstances of the person concerned, or new information has come to light which has a direct bearing on his case. However I wish to make clear that such an application would require substantial grounds to be successful.

If an applicant was successful in their application to have their Deportation Order revoked and wished to return to Ireland, it would then be a matter for the Garda National Immigration Bureau to decide whether to grant entry to the State to a national from a visa exempt country.

Decentralisation Programme

75. **Deputy Denis Naughten** asked the Minister for Justice and Law Reform when he will open the public office at the Property Registration Authority offices in Roscommon town; the reason it has not been opened to date; and if he will make a statement on the matter. [5632/11]

Minister for Justice and Law Reform (Deputy Alan Shatter): I can inform the Deputy that under the Government's decentralisation programme announced in 2003, approximately one third of the then staffing complement of the Property Registration Authority (PRA) were to be relocated to new offices in Roscommon Town. The new decentralised office for the PRA opened in Roscommon Town on 17 January 2011 and the advance party of staff, already located in Roscommon, transferred to the new building on that date. As of 28 February 2011, there were 81 staff members located in the new office.

Although the office in Roscommon Town doesn't incorporate a public office, I should point out to the Deputy that arrangements are already in place so that customers of the PRA may meet PRA staff by appointment in the office to discuss a pending application or other relevant areas of concern.

The transfer of any new or additional functions to the Roscommon office will continue taking account of resource availability and associated training requirements and the overall operational requirements of the organisation and its customers.

Residency Permits

76. **Deputy Denis Naughten** asked the Minister for Justice and Law Reform the implications for Ireland of the Court of Justice of the European Union judgments of 8 March 2011 (details supplied); and if he will make a statement on the matter. [5636/11]

Minister for Justice and Law Reform (Deputy Alan Shatter): I refer the Deputy to my public statement on this matter issued on Monday 21 March 2011 and which I trust addresses the

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implications referred to in his question. For the information of the House I have appended the text of that statement.

“Statement by Minister for Justice, Equality and Defence, Mr Alan Shatter, TD, on the implications of the recent ruling of the Court of Justice of the European Union in the case of Ruiz Zambrano.

Background

The Zambrano case was referred to the ECJ by a Belgian tribunal. Ireland along with a number of other Member States intervened in the proceedings. In summary, the Court ruled that Article 20 of the Treaty on the Functioning of the European Union precludes a Member State from refusing a third country national upon whom his minor children, who are EU citizens, are dependent, a right of residence in the Member State of residence and nationality of those children, and from refusing to grant a work permit to that third country national, in so far as such decisions deprive those children of the genuine enjoyment of the substance of the rights attaching to the status of European Union citizen.

Ireland’s Approach to Implementing the Judgement

First it is important to state that this judgement applies only where the child is a citizen. It has no implications whatever for Irish Citizenship law. The granting of citizenship remains a matter entirely for the Oireachtas under the Constitution.

Given the importance of the ruling in the Zambrano case, I have decided, with the support of my Government colleagues, to make a brief public statement outlining the consideration being given to cases involving Irish minor dependant citizen children who have a non-national third country parent or parents.

One possible approach in these matters is to wait for pending cases to be determined by the Irish Courts and for the Courts to interpret and apply the Court of Justice ruling. That is an entirely justifiable approach from a legal standpoint. However in this case the Government has agreed that there needs to be a more proactive approach and that it should make a clear statement of its intention to take early action in these cases, insofar as it is unnecessary to await rulings of the Courts. We should not tie up the courts unnecessarily or ask eligible families to wait longer than necessary.

Accordingly I have asked my officials to carry out an urgent examination of all cases before the courts (approximately 120 at present) involving Irish citizen children to which the Zambrano judgment may be relevant.

The Government has agreed with my proposal that early decisions in appropriate cases to which the Zambrano judgement applies be made without waiting for further rulings of the Courts.

I have also asked my officials to examine the cases in the Department in which the possibility of deportation is being considered in order to ascertain the number of cases in which there is an Irish citizen child and to which the Zambrano judgment is relevant. In addition, consideration will be given to those cases of Irish Citizen children who have left the State whose parents were refused permission to remain.

This initiative is being taken in the best interests of the welfare of eligible minor Irish citizen children and to ensure that the taxpayer is not exposed to any unnecessary additional legal costs.”

Report on Magdalene Laundries

77. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice and Law Reform his views on the Irish Human Rights Commission's Assessment which called for a statutory inquiry into human rights violations in the Magdalene Laundries; if he will institute this statutory inquiry; and if he will make a statement on the matter. [5637/11]

78. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice and Law Reform if he will ensure that a formal apology for the State's failure to protect women and young girls from abuse in the Magdalene Laundries is offered; and if he will make a statement on the matter. [5638/11]

79. **Deputy Maureen O'Sullivan** asked the Minister for Justice and Law Reform if he intends to offer a formal apology on behalf of the nation for the failure to protect women and young girls from abuse in the laundries; and if he will make a statement on the Attorney General's response to the Irish Human Rights Commission's Assessment that called on the Government to institute a statutory inquiry into human rights violations in the laundries. [5652/11]

Minister for Justice and Law Reform (Deputy Alan Shatter): I propose to take Questions Nos. 77 to 79, inclusive, together.

On 9 November, 2010 the Human Rights Commission published their assessment of the request by the Justice for Magdalenes (JFM) group to carry out an enquiry under Section 9 of the Human Rights Commission Act, 2000 into the treatment of women and girls who resided in Magdalen Laundries. The Human Rights Commission decided not to carry out a statutory enquiry itself as it is entitled to do under the legislation which established it and as was requested by the Justice for Magdalenes group. It recommended that a statutory mechanism be established to investigate the matters advanced by JFM and in appropriate cases to grant redress where warranted. Their assessment was the subject of an Adjournment Debate in this House on that same evening. As outlined to the House in that Debate, the assessment raises issues for a range of Government Departments as well as for the four religious congregations who operated the Magdalen institutions.

My Department, in consultation with the Office of the Attorney General whose role is to provide legal advice, has prepared a draft submission for the Government on the matter which I am now considering.

Legal Proceedings

80. **Deputy Seán Kenny** asked the Minister for Agriculture, Fisheries and Food if he will adjourn the case taken by the Department of the Marine against an organisation (details supplied) in Dublin 13, listed for hearing in the Circuit Court on 5 April next and allow negotiations to take place to resolve the matters at issue by mutual agreement. [5624/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The matter of "The Minister for Agriculture, Fisheries and Food -v- Comhair Iascaire Éireann Teoranta" has been listed for hearing in The Circuit Court on 5th April 2011. The matter is therefore sub judice and any involvement or comment by me would be inappropriate.

Grant Payments

81. **Deputy Pat Breen** asked the Minister for Agriculture, Fisheries and Food when headage payment will issue in respect of a person (details supplied) in County Clare; and if he will make a statement on the matter. [5631/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): An application under the 2010 Single Payment Scheme/Disadvantaged Areas Scheme was received from the person named on 12 May 2010. Payments under the 2010 Single Payment Scheme and Disadvantaged Areas Scheme commenced nationally on 18 October 2010 and 22 September 2010 respectively.

The person named submitted an application with 7 land parcels, 3 of which required re-digitisation. My Department has completed this process. Payments under the Single Payment Scheme were made to the applicant in respect on eligible land parcels on 18 October 2010 and 1 December 2010, with the final balancing payment made on 3 February 2011. An advance payment under the Disadvantaged Areas Scheme was made on 21 September 2010 and the balancing payment issued to the applicant on 10 February 2011.

Agri-Environment Options Scheme

82. **Deputy Frank Feighan** asked the Minister for Agriculture, Fisheries and Food whether the new agriculture environment options scheme is going ahead this year; and when is it envisaged it will be announced. [5628/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): I recognise the contribution that the Schemes operated by the Department make to farm incomes and particularly acknowledge the contribution of agri-environment schemes as an income support and a valuable policy measure to protect the environment. Following the implementation of the Agri Environment Options Scheme last year, my officials have carried out a review of the scheme and I am actively investigating the possibility of expanding the scheme. However the Government's National Recovery Plan sets out the expenditure ceilings for my Department for the period 2011 to 2014 and further participation in the scheme will have to be determined within the limits of the overall level of funding available to my Department. I will be making an announcement on the position for 2011 shortly.

Hospitals Building Programme

83. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children the way in which he intends to expedite the completion and commissioning of the cystic fibrosis unit; and if he will make a statement on the matter. [5571/11]

Minister for Health and Children (Deputy James Reilly): I am wholly committed to the completion of this project, and together with St Vincent's University Hospital and the HSE, we are taking every possible step in order to ensure earliest possible delivery of the new ward block. The contract for the ward block, awarded 14th October 2010, requires 18 months for construction from that date and is proceeding on track and within budget. Completion for service delivery is expected in early 2012.

84. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children his plans regarding the proposed national children's hospital; and if he will make a statement on the matter. [5575/11]

Minister for Health and Children (Deputy James Reilly): The Government has committed, under the Programme for Government, to the construction of the New Children's Hospital.

Since appointment as Minister, I have been engaged in discussions with my officials and with the National Paediatric Hospital Board in order to brief myself on the work done on this project to date. I want to be clear about how we can best provide the hospital in the most cost effective manner while ensuring a high quality service for our children and young people.

I am currently considering the evidence presented to me and will make a decision, based on that evidence, as to how to proceed. In particular I wish to be satisfied that the hospital will provide the best possible clinical outcomes for children and young people, that its location best meets their needs and that the cost of building the hospital is both realistic and affordable to the exchequer.

You may rest assured that I wish to avoid any unnecessary delay to the development of this very important project.

Constitutional Amendment on Children

85. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children when the referendum on children's rights will be held; and if he will make a statement on the matter. [5576/11]

Minister for Health and Children (Deputy James Reilly): The proposed wording for a constitutional referendum on children will be examined and submitted to Government shortly, and subject to agreement on the wording, a decision will be taken on the exact date.

Departmental Agencies

86. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children his plans to legislate for and establish the proposed child welfare and protection agency; and if he will make a statement on the matter. [5577/11]

Minister for Health and Children (Deputy James Reilly): Scoping work has commenced on the establishment of the new Agency, in particular to decide on the exact functions and reporting structures. Legislation will be developed when these key issues have been addressed.

Health Services

87. **Deputy Frank Feighan** asked the Minister for Health and Children the position regarding the provision of palliative care beds for a care home (details supplied) in County Roscommon. [5627/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Organ Donations

88. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children the action he will take to increase the number of organ donations, pending his legislation to provide for an opt-out system; if he will consider the appointment of transplant co-ordinators in the health system; and if he will make a statement on the matter. [5572/11]

Minister for Health and Children (Deputy James Reilly): I strongly endorse the activities of a number of organisations that are involved in promoting donor awareness and the need for organ donation. There will be particular attention on these issues in the coming weeks, with the launch of Organ Donor Awareness Week next Tuesday, 29th March.

The Programme for Government includes a commitment to introduce an opt-out system of organ donation. My Department has consulted widely on this issue and is preparing legislative proposals on the donation and use of human organs for transplantation. It is proposed that these be included in a Human Tissue Bill which will also meet the recommendations of the

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Madden Report on Post Mortem Practice and Procedures. My Department is working to finalise the proposals for me as soon as possible.

In addition to consent systems, there is evidence from other countries that good co-ordination at hospital level and counselling arrangements for relatives are significant factors in achieving high organ donation rates. I am therefore also considering what practices and organisational changes could further improve donation rates in this country. I welcome the appointment of a Clinical Lead for National Organ Donation and Transplantation by the HSE whose work will help to improve hospital practice in relation to organ donation and transplantation.

Patient Redress Scheme

89. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children the mechanism he proposes to compensate the women excluded on age grounds alone from the Lourdes Hospital redress scheme; and if he will make a statement on the matter. [5573/11]

Minister for Health and Children (Deputy James Reilly): In line with the Government's commitment in this regard, my Department will be considering the most appropriate mechanism to progress this matter.

Hospital Procedures

90. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children if he will establish an inquiry into the practice of symphysiotomy in hospitals here; and if he will make a statement on the matter. [5574/11]

Minister for Health and Children (Deputy James Reilly): My predecessor asked the Institute of Obstetricians and Gynaecologists to prepare a report concerning the practice of symphysiotomy in Ireland which would:

- provide the Institute's assessment of the circumstances in which symphysiotomy was carried out in Irish obstetric units;
- indicate what protocols or guidance existed over the years to guide professional practice; and
- specify when the practice changed and why it changed at that time in Ireland.

I understand that the Institute sought to make arrangements for the review to be carried out by an external team and that, unfortunately, it was not possible to progress this in the way originally proposed. I also understand that efforts are progressing to put in place alternative arrangements with the assistance of a university of public health and my Department is in consultation with the Institute in this regard.

The HSE has assured my Department that it will continue to monitor and oversee the provision of necessary support services for women. In doing so the HSE is committed to being proactive in seeking out and offering help to women who had symphysiotomies and who may wish to avail of the services offered by the HSE.

Health Service Reform

91. **Deputy Catherine Murphy** asked the Minister for Health and Children the mechanism he will use to bring back responsibility for decision-making to him from the Health Service Executive; the timeframe involved; and if he will make a statement on the matter. [5621/11]

Minister for Health and Children (Deputy James Reilly): The introduction of universal health insurance represents arguably the most profound reform of our health system since the foundation of the State. This Government has a clear mandate for its reform programme but it must be implemented in a planned and sensible way. The specific changes and timelines will be considered and identified over the coming months.

Services for People with Disabilities

92. **Deputy Catherine Murphy** asked the Minister for Health and Children the waiting time for those seeking services from Beechpark Services; if those waiting times are acceptable to him; the way he intends to address the issue; and if he will make a statement on the matter. [5622/11]

Minister for Health and Children (Deputy James Reilly): 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 to the Deputy.

Medical Aids and Appliances

93. **Deputy Frank Feighan** asked the Minister for Health and Children the position regarding funding toward the use of an art assist machine in respect of a person (details supplied) in County Roscommon. [5630/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Road Network

94. **Deputy Seán Kenny** asked the Minister for Transport when funding will be provided to Dublin City Council to upgrade Clonshaugh Road, Dublin 17, between the junction of Clonshaugh Avenue and the junction of Riverside Park. [5568/11]

Minister for Transport (Deputy Leo Varadkar): The improvement and maintenance of regional and local roads is the statutory responsibility of each local authority, in accordance with the provisions of Section 13 of the Roads Act 1993. Works on those roads are funded from local authorities own resources and are supplemented by State road grants. The initial selection and prioritisation of projects to be funded is also a matter for the local authority.

The 2011 Regional and Local Road Grant Allocations were announced on 1st February 2011. A total of €375.176 million is being provided for the maintenance and improvement of regional and local roads.

In July last year, local authorities were invited to submit applications for funding in 2011 under the Specific Improvement Grants Scheme. Included in the submission from Dublin City Council, was an application for consideration for funding on the Clonshaugh Road.

This application, together with all other applications received, was considered having regard to the eligibility criteria, the need to prioritise projects, competing demands from other local authorities and the funds available for the scheme in 2011. However, this project was not among the projects selected for funding under this scheme of grants in 2011.

It is open to Dublin City Council to continue to prioritise this project and to include it among its applications for funding in 2012 when submissions are sought later this year. Alternatively, Dublin City Council may fund this project from its own resources.

95. **Deputy Seán Kenny** asked the Minister for Transport when funding will be provided to Dublin City Council to enable an upgrade on the Donaghmede roundabout at the Hole in the Wall, Clarehall Avenue, Grange Road junction. [5569/11]

Minister for Transport (Deputy Leo Varadkar): The improvement and maintenance of regional and local roads is the statutory responsibility of each local authority, in accordance with the provisions of Section 13 of the Roads Act 1993. Works on those roads are funded from local authorities own resources and are supplemented by State road grants. The initial selection and prioritisation of projects to be funded is also a matter for the local authority.

The 2011 Regional and Local Road Grant Allocations were announced on 1st February 2011. A total of €375.176 million is being provided to local authorities this year for the maintenance and improvement of regional and local roads.

In July last year, local authorities were invited to submit applications for funding in 2011 under the Specific Improvement Grants Scheme. However, funding for an upgrade on the Donaghmede Roundabout was not among the applications submitted by Dublin City Council. It is open to Dublin City Council to prioritise this project and to include it among its applications for funding in 2012 when submissions are sought later this year. Alternatively, Dublin City Council may fund this project from its own resources.

Air Services

96. **Deputy Brendan Griffin** asked the Minister for Transport if he is committed to the future provision of a public service obligation contract for the Kerry-Dublin/Dublin-Kerry air route; and if he will make a statement on the matter. [5585/11]

Minister for Transport (Deputy Leo Varadkar): I can confirm that my Department is currently in the final stages of consultation with Kerry Airport on the specifications for a new PSO air service on the Kerry-Dublin/Dublin-Kerry air route. The next step in the process is the submission of the tender notification to the European Commission for publication in the Official Journal of the European Communities. On that basis, and allowing for the requirements of EU Regulations regarding the procurement of PSO air services, a new PSO service could be in place by year end.

Taxi Regulations

97. **Deputy Seán Kenny** asked the Minister for Transport his plans to alter the situation whereby payment is only accepted by the relevant authority by way of debit or credit card when taxi SPS licence payments are being renewed. [5623/11]

Minister for Transport (Deputy Leo Varadkar): The Commission for Taxi Regulation was subsumed into the NTA with effect from 1 January 2011.

I have referred the Deputy's Question to the NTA for direct reply. Please advise my private office if you do not receive a reply within ten days.