



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

Dé Máirt, 7 Feabhra 2012.

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DÁIL ÉIREANN

Dé Máirt, 7 Feabhra 2012.
Tuesday, 7 February 2012.

Chuaigh an Leas-Cheann Comhairle i gceannas ar 2.00 p.m.

Paidir.

Prayer.

Ceisteanna — Questions

Priority Questions

Garda Strength

61. **Deputy Dara Calleary** asked the Minister for Justice and Equality the final number of eligible garda who have indicated they will be retiring by end February 2012; the options reviewed by the Garda Commissioners in relation to potentially closing garda stations; his plans to maintain frontline services; and if he will make a statement on the matter. [6624/12]

Minister for Justice and Equality (Deputy Alan Shatter): The strength of the Garda Síochána at the end of 2011 was just under 13,900, along with over 2,000 civilian support staff and over 800 Garda Reserve members. I am informed by the Garda authorities that the total number of Garda retirements from the force in the first two months of this year is expected to be around 300. To put that figure into context, in 2009 the number of retirements was 722, in 2010 it was 362 and last year it was 436.

As the Deputy will be aware, these reductions form part of a wider programme aimed at reducing the size of the public service and will contribute to reducing expenditure and complying with the terms of the EU-IMF agreement. Of course, what will ultimately determine the sustainable level of Garda numbers is the level of budgetary provision that can be made for the force and the House will be conscious that difficult decisions will continue to have to be made right across the public sector in order to bring our public finances back into balance.

Reductions in numbers, whether in the Garda Síochána or elsewhere in the public sector, must be accompanied by reform. New efficiencies must be introduced so that even with reduced staffing levels the best possible service continues to be provided to the public. That need for efficiency is what underlies the recent decision of the Garda Commissioner to close some Garda stations. In coming to his decision, the Commissioner reviewed all aspects of the Garda Síochána's policing model, including the deployment of personnel, the utilisation of modern technologies and, of course, the level of activity in each Garda station.

The key objective of the station closures was not simply, as some have suggested, to save relatively small amounts of cash on station maintenance or utilities, but rather to promote the

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more efficient and effective deployment of resources. The Commissioner concluded that Garda resources could be better deployed and more effectively used on the front line if these particular stations no longer had to be staffed and maintained. Deputies who oppose the closure of any Garda stations are therefore opposing what in the professional judgment of the Garda Commissioner is a better use of Garda resources.

The House might be interested to note that today I announced that the Government, at my request and with the sanction of the Minister for Public Expenditure and Reform, had appointed two assistant commissioners, eight chief superintendents and 23 superintendents in An Garda Síochána. In seeking these promotions, I was conscious of the need to enable the Garda Commissioner to fill key positions in the senior ranks, and to maintain both the investigative and also the management and supervisory capacity of the force.

The Garda Commissioner has reiterated the commitment of the Garda Síochána to providing a professional and effective service to the community. This will mean continuing to promote reform and introduce efficiencies. The Commissioner will have my full support in this regard.

Deputy Dara Calleary: The promotions announced by the Minister this morning are the subject of a later question. Could he confirm that a so-called transition team has been established in the Department of Justice and Equality? When was it established, who makes up the team, and what are its terms of reference?

Reference was made to the announced closure of 39 stations. The Minister indicated in January that a further range of stations would be closed during 2012. Will it be the 2013 budget before the Minister has that list or will it be an ongoing process?

On cost savings, which the Minister cited previously as one of the reasons we need to close Garda stations, he corresponded with me to say that the running costs for individual Garda stations are not available because they are compiled by district, not by station. It is no wonder he cannot provide a figure for savings made on the closure of each station when he cannot give a figure for the cost of running each station.

On the opposition of Deputies to the closure of Garda stations——

Acting Chairman (Deputy Michael McCarthy): The Deputy should ask a question, please.

Deputy Dara Calleary: ——there is a wonderful resource on justice called *alanshatter.ie* which is particularly good pre-March 2011. I direct the Minister to the comments he made about the reduction of Garda numbers at a Garda station in Rathfarnham. He was most concerned about the potential closure of the station.

Acting Chairman (Deputy Michael McCarthy): Just over a minute and a half remains for the Minister's reply.

Deputy Dara Calleary: I would appreciate the information in response to the questions.

Deputy Alan Shatter: As the Deputy is aware, under the EU-IMF agreement, substantial efficiencies must be effected. His party, when in government, entered into arrangements with a view to reducing the numbers in the Garda force to 13,500 by 31 December 2011. In the context of ensuring proper use of taxpayers' money and the maximum use of resources, the Garda Commissioner made the decisions he made on Garda stations. I wish that the economic incompetence and lack of governance shown by the previous Government did not have this country in the state it is in. I wish we were not in a position where we have to reduce numbers within the Garda force. I am confronted with the obligations we have under that agreement

and with a Garda force and Commissioner who is totally focused on ensuring the force is in a position to fully meet its duties to implement the police plan for 2012, as announced, and to provide the community with the protection required from those engaged in criminality and with a proper investigative role.

In the context of dealing with matters well in advance of us getting to our current position, at an early stage in the Department work was undertaken and consultations were undertaken with the Garda Commissioner to ensure that any steps that were required with regard to the changes affecting Garda numbers would be put in place. Today's welcome announcements with regard to the promotions that were approved in Cabinet establishes the level of planning that has gone into ensuring at management level that necessary posts are filled in the interests both of the Garda Síochána itself and the community.

Deputy Dara Calleary: I would appreciate——

Acting Chairman (Deputy Michael McCarthy): Time is up.

Deputy Dara Calleary: Is a transition team in place in the Department?

Acting Chairman (Deputy Michael McCarthy): The Minister cannot answer because the time is up.

Northern Ireland Issues

62. **Deputy Jonathan O'Brien** asked the Minister for Justice and Equality his proposals to work with his northern counterpart to increase all-Ireland justice and crime initiatives; and if he will make a statement on the matter. [6796/12]

Deputy Alan Shatter: I am pleased to inform the Deputy that I regularly meet my Northern Ireland counterpart, the Minister of Justice, Mr. David Ford, and we have developed a close working relationship. We have a shared desire to enhance and further develop North-South co-operation across the range of our respective areas of responsibility.

Structured co-operation between our Departments and the related criminal justice agencies North and South is provided for under the intergovernmental agreement on co-operation on criminal justice matters. I meet regularly the Minister of Justice, Mr. David Ford, MLA, under the auspices of the agreement to discuss matters of mutual interest and consider strategies for more effective co-operation on criminal justice matters between the jurisdictions.

In addition to these regular ministerial meetings, project groups comprising relevant officials and practitioners from the two jurisdictions have been established to take forward co-operation in the fields of youth justice, victims of crime, management of sex offenders, public protection, forensic science and social diversity. These groups involve high level representation from relevant agencies, North and South, and their role is to promote and co-ordinate practical operational co-operation, the exchange of best practice and sharing of policy initiatives and, where appropriate, the exchange of personnel. In the past year some of the practical initiatives to emerge from the project groups included a memorandum of understanding in respect of forensic science services and recommendations on dealing with sex offenders who had crossed the Border.

An annual cross-Border organised crime conference is organised by the two justice Departments and the law enforcement agencies, North and South. It focuses on enhancing practical co-operation in combating serious cross-Border criminality and has acted as a useful catalyst in driving ongoing efforts to tackle serious crimes such as tiger kidnapping and fuel laundering.

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The two police forces operate a joint cross-Border policing strategy that aims to improve public safety throughout Ireland by disrupting criminal activity in both jurisdictions and enhancing the policing capability of both police services. The joint strategy covers a range of policing areas, including cross-Border investigations and operations, intelligence sharing and security, communications and information technology, training and emergency planning. It indicates the scope of this co-operation and the determination of both police forces to use the tools available to ensure those who seek to exploit the Border for criminal ends will not succeed.

Additional information not given on the floor of the House.

This close co-operation reflects the Government's strong continuing commitment to cross-Border working which can only be to the benefit of all the people of the island.

I met the Minister, Mr. Ford, and Scotland's Secretary for Justice, Mr. Kenny MacAskill, last week when we discussed a number of matters of common interest. These included sectarianism, sharing expertise in forensic science, civil asset seizure procedures to combat crime, police reform, measures to reduce offending, prisons issues, reform of criminal legal aid, monitoring of sex offenders and vetting procedures for persons to work with children and vulnerable adults. These are all matters of common interest and it enhances our responses, North and South, to know how these matters are being dealt with by the Scottish authorities.

Deputy Jonathan O'Brien: It is clear from the Minister's response that there is good co-operation between the North and the South. Long may this continue. Regarding how the strategies for co-operation are set out, is it a case of dealing with matters as they arise or is a 12 or 24 month strategy put in place? How are strategies put in place and what criteria are used? Are there other areas in which cross-Border co-operation is necessary?

Deputy Alan Shatter: There is a series of meetings at ministerial level with the Minister, Mr. Ford. As I detailed, at official level there is ongoing contact and strategies are being developed on a continuous basis, not as piecemeal responses to issues that arise. For example, there is ongoing interaction between the probation services, North and South. I attended a meeting of the two services at a conference held some weeks ago that I opened with the Minister, Mr. Ford. We have provided for interaction and shared experiences.

Co-operation goes beyond the island of Ireland. I met the Minister, Mr. Ford, and Scotland's justice Secretary, Mr MacAskill, on Wednesday of last week when we discussed a number of matters of common interest. The Deputy might be interested to know that these included the problem of sectarianism, for example, the difficulties experienced in Scotland, sharing expertise in forensic science, civil asset seizure procedures to combat crime, police reform, measures to reduce offending, prison issues, reform of criminal legal aid, monitoring of sex offenders and vetting procedures for persons to work with children and vulnerable adults. We also discussed the issue of human trafficking in the context of labour issues and prostitution. There is a range of areas in which common policies are developing. The tripartite meetings with the Minister, Mr. Ford, and Scotland's justice Secretary, Mr. MacAskill, are annual affairs, but there is a deepening of relationships and a continuing exchange of experiences in these areas.

I welcome the close co-operation between the Garda Síochána and the PSNI and the interaction between the Department of Justice in the North and my Department.

This will be of benefit to the entire island of Ireland. I also met last week the Northern Ireland Minister for Social Development, Mr. Nelson McCausland, to discuss common approaches in the area of justice, with particular reference to issues surrounding alcohol legis-

lation. There is a great deal of cross-Border co-operation with a view to ensuring we put in place policies to the benefit of all the people on the island.

Deputy Jonathan O'Brien: On legislation the Department is drafting, I am aware that an impact analysis is made in terms of financial requirements and so on. In the case of personal insolvency, I understand the proposed legislation will include a discharge period of three years, whereas the corresponding figure in the North is 12 months. In this and other matters is account taken of the situation in the North and how legislation enacted in the State might impact on an all-island basis?

Deputy Alan Shatter: The alcohol legislation is a classic example of the cross-Border co-operation in which we are engaged. One of the proposals we are considering is for both Governments to enact legislation to prevent what are known as volume sales of alcohol, where, for example, there might be an offer of 12 bottles for the price of six. Given their proximity, one cannot enact legislation in areas such as this on one side of the Border but not the other.

In addressing issues relating to personal insolvency we were acutely aware of the legislation in place in Northern Ireland, as well as in England, Scotland and Wales. All of these matters are factored into the considerations we apply in determining the best legislative course to follow. That is not to say that on all issues our legislation will be identical to that enacted in the North. However, in the area of criminal justice, for instance, the extent to which we can ensure harmonisation is very important in the fight against criminal gangs.

Human Rights Issues

63. **Deputy Catherine Murphy** asked the Minister for Justice and Equality if he will assure Dáil Éireann that the new body resulting from the merger of the Equality Authority and the Irish Human Rights Alliance will continue to provide independent assistance to victims of discrimination in the same manner which the Equality Authority has provided heretofore; and if he will make a statement on the matter. [6521/12]

Deputy Alan Shatter: On 6 October 2011 I announced the terms of reference of the working group to advise me on the merger of the Human Rights Commission and the Equality Authority. At the time I made a clear statement that the new human rights and equality commission would retain all the statutory powers and duties of the existing bodies. The House will have an opportunity to consider whether that requirement is met when the relevant legislation comes before it in due course.

Deputy Catherine Murphy: Merging two organisations with two cultures is never easy. The Equality Authority, as one would expect, had a particular focus on the issue of equality. Can we take it from the Minister's reply that independent legal assistance and advice will continue to be made available to those who require it and that such assistance will be provided in a proactive way? Does the Minister intend to take the opportunity, in enacting the legislation required to merge the two bodies, to go further by introducing additional reforms? If so, are there areas of particular concern to him?

Deputy Alan Shatter: The review group I have appointed comprises four members each from the Equality Authority and the Human Rights Commission, as well as representatives of my Department and an independent chairman. Its remit is to examine the changes and reforms which might be effected, at the same time as the introduction of legislation to bring together the two bodies. It was originally my hope the working group would be in a position to report back by the end of November 2011. It has completed an extensive body of work and I understand its report should be available to me this month.

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I have made clear my view that we should have an enhanced human rights and equality commission which not only meets our international obligations in these areas but provides the best possible forum for addressing issues of human rights and equality. I do not want to pre-judge the group's report, but I would be surprised if it does not suggest important reforms and innovations. The report will be published and will inform the development of the Bill. The preparation of the legislation has been delayed because the group has taken somewhat longer than anticipated to complete its work. However, I hope to have the Bill published some time after Easter, although I cannot give a specific date. I look forward to receiving the group's report, the contents of which Members of the House will have an opportunity to consider. The Government is open to ensuring there is in place a body with real powers to allow it perform the functions mentioned by the Deputy and which may have a slightly broader remit in some areas than do the two current bodies.

Deputy Catherine Murphy: We all know the situation the country is in. In that regard, was the group working within constraints in terms of what initiatives it could bring forward? In other words, were there other initiatives that could have been brought forward in an ideal situation?

Deputy Alan Shatter: The review group was given a broad remit to present from its perspective the best possible option. My duty as Minister is to ensure there are reasonable resources in place for what is established. I cannot pre-empt the decisions the group may make. While I was concerned previously that the Irish Human Rights Alliance was under-resourced, in particular during recent years, substantial resources were made available to the Equality Authority. It is hoped that in having one body there will be an economy of scale, which will provide not alone for its application of powers and objectives but will allow the work to be done at a lesser cost.

In response to the Deputy's question, no financial sum was stated to the review group although it will be conscious of how much money was made available this year and last year to both agencies. My budget for 2012 is not substantially greater than it was for 2011. However, it is not less than what was available for the two agencies, which is to be welcomed. The Government takes seriously its commitment to provide an enhanced independent equality commission to replace the Irish Human Rights Alliance and Equality Authority.

I look forward to receiving the report of the group, which comprises good people whom I know devoted substantial time to their deliberations. I also look forward to the input of that report into the development of the necessary legislation.

Asylum Support Services

64. **Deputy Dara Calleary** asked the Minister for Justice and Equality his plans to create an independent complaint mechanism for asylum seekers reception centres at the Reception and Integration Agency; if he intends to extend the powers of the Ombudsman to cover the area of asylum seekers; and if he will make a statement on the matter. [6625/12]

Deputy Alan Shatter: The Reception and Integration Agency, RIA, of my Department currently accommodates more than 5,300 persons across 39 centres. Complaints by centre residents are dealt with in accordance with the procedures outlined in the RIA's house rules, a copy of which is provided to all residents and sets out, *inter alia*, the obligations on the centre manager and resident. The complaints procedure explains how one party can seek to have breaches of the obligations by the other party resolved.

The thrust of this procedure is that issues are best resolved quickly, locally and informally without the need for a matter to proceed formally. Where more serious complaints cannot be so resolved, residents may lodge a formal written complaint with centre management, to be responded to within 14 days. If the issue remains unresolved, the resident may take his or her complaint to the RIA who will make a determination on it. If a complaint is made in respect of a decision by a particular RIA official, the appeal will not be dealt with by that official. This complaints system is considered by the RIA to be broadly in line with the guidelines set out by the Office of the Ombudsman for internal complaints systems.

The rules specifically state that residents should not be afraid to complain when they need to and that making a statement will not affect how other official agencies consider their claims to remain in the State. The house rules were revised arising from a working party report, which included some NGOs. During those working party discussions, the issue of an independent appeals mechanism was fully discussed. It was the RIA's view that no clear model was cited during these discussions as to the make-up of an independent claims mechanism or how it could be implemented without undue cost and bureaucracy.

In relation to the powers of the Ombudsman, section 5(1)(e) of the Ombudsman Act 1980 provides that the Ombudsman shall not investigate any action taken by or on behalf of a person in the administration of the law relating to asylum. While the office does not currently have the power to investigate asylum related matters, the Irish Naturalisation and Immigration Service, including the RIA, has in place administrative arrangements with the office to assist and provide information and help resolve any matters brought to its attention.

Additional information not given on the floor of the House.

The question of extending the remit of the Ombudsman is in the first instance a matter for the Minister for Public Expenditure and Reform and my officials will engage with that Department in relation to any proposals in this regard.

It is important we do not lose sight of the need to ensure the amount of time asylum seekers stay in direct provision is kept to a minimum and that we do not inadvertently open up a new appeal mechanism in the asylum determination system, which already has comprehensive in-built statutorily based appeals mechanisms.

Deputy Dara Calleary: The phrase "internal complaints systems" was used and reflects the difficulty that it will be an internal process, regardless of whether the central manager or the Reception and Integration Agency is involved. The 5,300 people concerned are in a difficult position and do not necessarily wish to draw attention to themselves. In the opinion of the agencies involved, some independent mechanism would engender greater confidence. As for the role of the Ombudsman, in terms of asylum Ireland was a very different place in 1980 and were the Office of the Ombudsman to be involved in a more formal role, an independent system within the Reception and Integration Agency might not be necessary. Given the number of asylum seekers and the extent to which the position in the country has changed since 1980, I again ask the Minister to consider the involvement of the Ombudsman.

Deputy Alan Shatter: There are, of course, fewer people in such accommodation than in previous years. The numbers are falling. I note that during the Deputy's party's 14 year term of office it did not deem it appropriate to introduce a different system such as the one he now advocates.

Extending the remit of the Ombudsman is, in the first instance, a matter for the Minister for Public Expenditure and Reform. My officials would be happy to engage with that Department on any such proposals. It is important, however, not to lose sight of the need to ensure the amount of time asylum seekers remain in direct provision accommodation is kept to a mini-

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mum. I am concerned that it is far too long owing to the complexities of our immigration and asylum legislation. These issues will be addressed in the legislation being prepared and I hope a better system will be in place by the end of the year which will ensure individuals will not spend as long in direct provision accommodation.

I do not wish to inadvertently open up a new appeals mechanism in an asylum determination system that already has comprehensive in-built statutory-based appeals mechanisms and which is subject to a continuing stream of judicial reviews. While some of the reviews have merit, a considerable number are certainly brought with the intent of trying to remain unlawfully in the State for an extended time in circumstances in which there is no valid basis to seek asylum and the applicants are seeking to prevent their deportation.

Courts Service

65. **Deputy Maureen O'Sullivan** asked the Minister for Justice and Equality his views on the principle of community courts being used to harness the power of the justice system to address more located crime; and if he considers that a pilot scheme could be initiated within the present resources. [6841/12]

Deputy Alan Shatter: As the Deputy will be aware, the biggest volume of crime in Ireland is tried in the local District Courts which are established pursuant to the Constitution as courts of local and limited jurisdiction. Some jurisdictions also have developed what are sometimes referred to as problem solving courts. Models include community courts, drug courts and restorative programmes. These can vary in character but generally incorporate a combination of sanction for the crime, assistance in rehabilitation and reparation to either the victim or the community in which the offence took place.

Some years ago the National Crime Council published a report entitled, Problem Solving Justice, the Case for Community Courts in Ireland. The report examined the position in the United States and the United Kingdom to ascertain how such courts worked in practice and made recommendations for the establishment of a court on a pilot basis. These recommendations have not been implemented to date and, as the Deputy is aware, are potentially resource-intensive.

There are, however, a number of restorative justice options in operation, including two structural projects based in Nenagh and Tallaght that represent problem solving approaches. Community courts also share many of the characteristics of the Dublin Drug Treatment Court which has operated in the north city centre area for some years and was expanded significantly in 2011. I am considering the possibility of its further expansion.

There are a number of non-custodial sentencing options available to the courts, including suspended sentences, community service orders, fines, compensation orders and probation orders. I am informed the number of community service orders increased by almost 40% in 2011 compared with 2010, with 537 orders being made in the final quarter of 2011 following the commencement on 1 October last of the Criminal Justice (Amendment) Act 2011 which introduced a requirement for judges, when considering the imposition of a sentence of 12 months or less, to first consider the alternative sanction of community service. As the Deputy is aware, community service generally is carried out in the local community, of benefit to that community and costs taxpayers a good deal less than a term of imprisonment.

Additional information not given on the floor of the House.

While the scale of restorative justice initiatives in Ireland is modest, this must be viewed in the context of Ireland's very small prison population. It is worth noting that, according to the

Courts Service annual report for 2010, just under 5% of offences heard in the District Court resulted in terms of imprisonment.

In my address last year to the Irish Penal Reform Trust I outlined my commitment to developing workable alternatives to custody which promoted a balanced but targeted rehabilitation of offenders. Since coming to office, I have prioritised a number of relevant initiatives, including the development of a national anti-crime strategy that is at the last stage of preparation in my Department. In addition, a number of key recommendations contained in the Thornton Hall review group report that I published last July are receiving priority attention in my Department, most notably the introduction of an incentivised scheme for early temporary release, under which offenders who posed no threat to the community would be offered early temporary release in return for supervised community service. A further recommendation was the establishment of a strategic review of penal policy which would incorporate an examination and analysis of all aspects of penal policy, including prevention, sentencing policies and alternatives to custody. I intend to establish a working group to further this work in the near future. Work is ongoing to ensure full implementation of the Fines Act 2010.

As the Deputy acknowledges, the introduction of community courts has resource implications, mainly in respect of the intensive multidisciplinary team required by such a court. In the context of the other related developments I have mentioned, I have no plans to choose community courts. It is, however, an option I will keep under review.

Deputy Maureen O'Sullivan: Dublin Central has both prisons and prisoners. There is a disproportionate number of people in prison who come from certain areas in the constituency. I accept what the Minister stated in respect of community service, etc., but a community court could play a particular role. I acknowledge the work of the National Crime Council and the Dublin City Business Association in respect of the process relating to that report. Would it not be possible to try to establish a community court on a pilot basis within existing resources? Let us face it, the current system is not working. As one judge stated, the same people are continually being recycled through the system. Would it not be possible to use existing resources to set up a community court which could be located in the inner city, perhaps adjacent to Store Street or Pearse Street, where there are high levels of particular types of crime?

Deputy Alan Shatter: As the Deputy is aware, crime levels in particular areas are influenced by a range of issues and a community court would not provide a panacea in the context of dealing with the various difficulties which exist in such areas. We are engaged in a number of different pilot schemes. I share the Deputy's view that too many people currently within our prisons are serving very short sentences. These individuals pose no risk to the community and would be better dealt with through the community service order system. That is why we introduced the legislation that was enacted last July. Those to whom I refer could be assisted through the restorative justice schemes. There is a need for in-built programmes to deal with both drug and alcohol abuse. There is no point in individuals serving a few short weeks in jail and then returning to the outside world with the addictions which led them to become involved in criminality in the first instance.

As the Deputy may be aware, in the address I delivered to the Irish Penal Reform Trust last year I made a commitment to develop workable alternatives to custody which promote a balanced but targeted rehabilitation of offenders. Since coming to office I have prioritised a number of initiatives, including the development of a national anti-crime strategy, which is currently at an advanced stage. The Deputy may also be aware that we are operating a pilot scheme to which I referred previously in the House, whereby prisoners who are serving sentences within the prison system, who are of good behaviour and who pose no risk to the community but who have not yet reached the stage where they are eligible for remission may

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be released subject to their signing an agreement and condition that they do community service. I am advised that this scheme is working well. I hope we will have an opportunity to extend it in the future.

Deputy Maureen O'Sullivan: I welcome everything the Minister said and I am personally committed to the notion of restorative justice because there are some very good examples of where this works. However, I remain of the view that there is a role for community courts and the judges who would operate them. Such courts have very direct connections with the communities in which they are located. It is, after all, certain communities in particular areas which are plagued by what is termed low level crime, although that is not how those who live in such communities would categorise it, especially as their lives are being disturbed. To give offenders the opportunity to make amends to communities is the best way to put an end to the revolving door system.

Deputy Alan Shatter: The best way for an offender to make amends to a community is through community service. The Probation Service is involved in extensive engagement in this area. The effect of the community service orders legislation was evident in the final quarter of 2011 when it became apparent that there had been a substantial increase in the making of community service orders. I welcome the latter development. It will be interesting to see what will be the pattern for 2012 in its entirety. I expect there will be a similar increase as the courts become used to the new legal arrangements that are in place.

The establishment of a new community court, even on a pilot basis, would require additional resources. I am operating a Department which has €100 million less available to it for 2012. For a community court to operate successfully, there would be a need for multidisciplinary staff with particular expertise to be employed because it would otherwise be a community court in name only. Unfortunately, I do not currently possess the resources to allow me to employ additional people in that context.

Other Questions

Departmental Expenditure

66. **Deputy Billy Kelleher** asked the Minister for Justice and Equality his views on the resignation of the chief executive of the National Women's Council, the 35% reduction in their budget; and if he will make a statement on the matter. [6563/12]

91. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice and Equality if he will guarantee that there will be no further cuts to the current 35% funding cut from his Department to the National Women's Council of Ireland; and if he will make a statement on the matter. [6549/12]

Deputy Alan Shatter: I propose to take Questions Nos. 66 and 91 together.

I wish to clarify for the House that the National Women's Council of Ireland is wholly independent of my Department. However, my Department will make up to €350,000 available to the council towards its core funding and to deliver a programme of activities in 2012. This represents a decrease of 35% on the Department's provision in 2011 and reflects the need to achieve savings of €100 million in the justice group of Votes. Funding for the council comes from a number of sources, not only from the Department but also from the HSE and subscriptions from member and philanthropic organisations. I understand from the council that it received Exchequer funding of €571,000 in 2011, of which €528,000 came from the Department.

The council has been very successful in accessing funding for special projects from a number of philanthropic organisations and other sources.

The council is undertaking a gender mainstreaming project on behalf of the HSE for which it is receiving €130,000 in the two year period 2011-12. Atlantic Philanthropies has awarded €770,000 to the council for two projects beginning in early 2012. The first project, for which more than €560,000 was received, will run for a period of three years, while the second, for which €190,000 was received, will run for a period of a year and a half. These projects are contemporaneous. The Joseph Rowntree Charitable Trust has also awarded financial support of almost €130,000 to the council for another special project which will run for two years and which began in September 2011. The Peace 3 programme is also funding a project being delivered at a cost of over €57,000. With the exception of the Peace 3 project, all other projects will make a contribution to the core costs of the council, totalling over €85,000 in 2012.

As a membership organisation, the council also receives contributions from its constituent members which number about 166. This membership income fluctuates but typically exceeds €25,000 per annum.

In setting priorities for expenditure in the Department this year I decided that I would favour those organisations providing services over those providing, in the main, advocacy or research services. Implementation of this decision has meant some difficult choices, involving in certain cases the complete elimination of funding altogether and the closure of some projects.

Accompanied by officials from my Department, I met the chairperson and CEO of the council on 19 January to discuss the matter, following on correspondence with the CEO after the budget announcement. During the course of the meeting I emphasised my continued support and that of the Government for the council and my belief the council could continue to play a key role in achieving positive changes in the area of women's rights and equality. I was subsequently advised that the CEO did not feel able to continue in her post as, in her view, the €350,000 provided by the Department for this year made it impossible for her to do her job properly. The executive board of the council has appointed an acting CEO.

I have every confidence, as I said, that the council will continue to play a key role in promoting women's rights and equality and that the working relationship between the Department and the council will be maintained. It is worth noting that the council has available to it very substantial sums for 2012, with further guaranteed sums for 2013, from philanthropic organisation and also has available to it moneys for its activities which, overall, substantially exceed the moneys that may have been available to it for many years in the past.

Deputy Dara Calleary: The Minister obviously made a big impression at the meeting because the chief executive officer resigned after it. She has stated it was her personal view that the Government had shown scant regard for women's rights and her resignation was a personal protest against its indifference. This year the Minister of State, Deputy Kathleen Lynch, will introduce legislation on gender quotas and all political parties are committed to increasing the number of female candidates in 2014. The Minister has emphasised that the organisation is independent of the Department and it is this independence which enables it to obtain external funding. For the Minister to impose a 35% cut completely disregards other Government strategies. When did the council communicate the chief executive officer's resignation to him? What is the average reduction to other organisations which receive funding from the Department?

Deputy Alan Shatter: As the Deputy may be aware, the Government has a substantial programme in the area of women's rights. Unlike the Deputy's party, we will put in place legislation to ensure greater participation by women in electoral politics, in particular in general elections.

[Deputy Alan Shatter.]

This is legislation that would never have been contemplated by the Deputy's party in government. A very successful conference was held in Dublin Castle organised by my colleague, the Minister of State, Deputy Kathleen Lynch; there were so many women present that we had to provide a room to cater for the overflow of those who wished to participate. I note what the Deputy said was the statement of the chief executive officer of the council. No such statement was made by or on behalf of the board of the council. In the current financial climate €350,000, by way of a grant to an organisation which has substantial additional funds made available to it, amounts a very substantial grant.

Deputy Dara Calleary: It is how the Minister is choosing to use it.

Deputy Alan Shatter: The Deputy cannot have it both ways. He is a member of a party which destroyed the economy of the country. He knows there are substantially fewer resources available to my Department. In circumstances where I have €100 million less to meet expenditure incurred through my Department—

Deputy Dara Calleary: The Minister makes the choices.

Deputy Alan Shatter: —the Deputy constantly pretends there can be no reduction, regardless of the areas in which it is made.

Deputy Jonathan O'Brien: On funding, we all know what has happened and it is regrettable that the chief executive officer felt it necessary to resign over this issue. The one aspect we could examine is multi-year funding which might alleviate some of the concerns because it is very difficult for groups which are trying to operate on a yearly budget to plan and strategise. The Department might examine the possibility of providing multi-annual funding because at least people would then know what was coming down the line and plan accordingly. If it were possible to do this, we might be able to overcome some of the concerns raised.

Deputy Alan Shatter: I do not want to comment on the resignation of the chief executive officer.

Deputy Jonathan O'Brien: I appreciate that.

Deputy Alan Shatter: She had her own reasons for resigning. All I can say is that a very successful conference was held in Dublin Castle to address serious issues to give women an opportunity to engage in electoral politics to a far greater extent. The Government is committed to women's rights and ensuring greater participation in a broad range of areas. The Deputy might have noticed in the many appointments I have made that there has been a substantial gender rebalancing in the context of ensuring an equal number of men and women are appointed. I have been redressing imbalances in some areas in which clearly there has been a substantial number of men in circumstances where there are women available who are equally qualified. We will continue to work along these lines to achieve objectives. There is no reason the National Women's Council, as an advocacy and research body, with the funding available to it, cannot fully meet all of its commitments in 2012 and 2013.

Deputy Jonathan O'Brien: In fairness, the question had to do with the provision of multi-annual funding.

Deputy Alan Shatter: We have to examine whether we can fund some of these organisations on a multi-annual basis. As we go through the three difficult years of 2012, 2013 and 2014 choices will have to be made as between organisations which provide services for women and

those which advocate such services should be provided. We need to monitor what will happen during the course of the year to ensure we get our funding position right. Last July, conscious of the financial difficulties we would have in 2012, I wrote to the National Women's Council of Ireland to advise it in advance that it was likely its funding for 2012 would be substantially below the figure allocated in 2011. Therefore, it received a substantial warning of where the matter was going.

Garda Promotions

67. **Deputy Robert Troy** asked the Minister for Justice and Equality his plan for garda promotions in 2012; the number of anticipated promotions; when this matter will be brought to Cabinet; and if he will make a statement on the matter. [6584/12]

Deputy Alan Shatter: As the Deputy may be aware, today I secured Cabinet approval for the appointment of two assistant Garda commissioners, eight chief superintendents and 23 superintendents, giving a total of 33 appointments to senior Garda ranks. All of the consequential vacancies at sergeant and inspector ranks will also be filled.

I was very glad to secure the agreement of my colleague, the Minister for Public Expenditure and Reform, and the Cabinet as a whole for such a significant number of appointments. In seeking these promotions I was conscious of the need to enable the Garda Commissioner to fill key positions in the senior ranks and maintain both the investigative and also the management and supervisory capacity of the force.

With clarity emerging on the final number of retirements expected by the end of this month, I will be discussing with the Minister for Public Expenditure and Reform the case for filling outstanding vacancies in the senior ranks.

Deputy Dara Calleary: I welcome the fact that the Minister eventually got around to getting Cabinet approval for that and that he has got agreement to fill the consequential vacancies down the line. What is the timeframe for the filling of those consequential vacancies?

To return to a previous question, is there a transition team in place in the Department of Justice and Equality? If so, who is on it, and when was it established to manage all these retirements and the consequences of them for An Garda Síochána and for the other organisations that come under the Minister's remit?

Deputy Alan Shatter: On the question of when the other appointments will be made, I have had discussions with the Garda Commissioner — I talked to him today after these appointments were announced — and I understand he will put in place the appropriate procedures for the making of the appointments. I do not want to give an exact date because it is a matter for him in the context of his managerial function of the force, but I understand he will proceed with all appropriate speed in that regard.

I answered the question the Deputy has again raised regarding transitional arrangements in my Department. We took a very comprehensive overview, at a very early stage after my appointment, of the different steps to be taken in dealing with the different issues that would come up, including the position with regard to Garda retirements and where we would be at 29 February. It was deemed appropriate that these promotions would be announced today. Other senior members of the force will retire on 29 February and those positions are the subject of conversations between myself and the Minister, Deputy Howlin, and I expect that appropriate decisions will be made in that regard.

Deputy Dara Calleary: There is no transition team in place.

Deputy Alan Shatter: I will eventually get to that.

Acting Chairman (Deputy Michael McCarthy): I call Deputy Buttimer. He has one minute. The Deputies will have to change Standing Orders.

Deputy Dara Calleary: Bring back the Leas-Cheann Comhairle.

Deputy Jerry Buttimer: I very much welcome the news by the Minister of the appointment of people to 33 positions, in particular those of 23 superintendents and eight chief superintendents, and the fact that consequential posts will be filled. That will augment the force, the members of which are doing great work. As a consequence of the new slimmed-down public service, are there plans to create new Garda divisions and structures in the Garda Síochána, the members of which are doing great work in our communities?

Deputy Alan Shatter: Today was a good news story for the Garda.

Deputy Jerry Buttimer: Hear, hear.

Deputy Alan Shatter: It is important that at a time of financial difficulty, we approach——

Deputy Dara Calleary: The Minister was shamed into it by the Commissioner.

Acting Chairman (Deputy Michael McCarthy): Allow the Minister to continue without interruption.

Deputy Alan Shatter: ——the issue of the use of resources effectively.

Deputy Dara Calleary: They had to come in and beg.

Deputy Alan Shatter: The Garda Commissioner would have known a little time ago that these matters would come before the Cabinet this week.

Deputy Jerry Buttimer: Hear, hear.

Deputy Dara Calleary: They were supposed to come forward in January.

Deputy Alan Shatter: There is no difference of any description between myself and the Garda Commissioner——

Deputy Jerry Buttimer: Deputy Calleary is disappointed that the positions are being filled.

Acting Chairman (Deputy Michael McCarthy): The Minister to continue without interruption.

Deputy Alan Shatter: ——who is doing a tremendous job.

Deputy Jerry Buttimer: Hear, hear.

Deputy Dara Calleary: No thanks to the Minister.

Deputy Alan Shatter: In the ongoing issue of ensuring maximum efficiencies, there will be a look at the current structure of the Garda force to determine whether further efficiencies can be effected and resources targeted in a manner that is to the benefit of the Garda and the general community. That is ongoing work that will continue during the course of this year both within the force and in the context of any other structure that may be put in place.

Deputy Dara Calleary: For the record of the House, it should be noted that the Garda Commissioner was forced to come to the Committee of Public Accounts meeting last Thursday to ask for these vacancies to be filled.

Deputy Jerry Buttimer: He was not forced to come to it last Thursday; he was due to come to it.

Acting Chairman (Deputy Michael McCarthy): Deputy Calleary to continue without interruption. He might put a question to the Minister.

Deputy Dara Calleary: There is no good news about being embarrassed into it.

Deputy Alan Shatter: That is more nonsense.

Deputy Dara Calleary: Is there a transition team in place in the Department of Justice and Equality—

Deputy Jerry Buttimer: All the Deputy wanted to do was to give out in the hope that the positions would not be filled.

Deputy Dara Calleary: —such as that announced by the Taoiseach?

Deputy Alan Shatter: There is a transition team in place at Government level which covers a broad range of Departments and deals with any issues that may arise as a result of the retirements. As I keep on telling the Deputy, however, who seems to think there is something mysterious about this, in the context of the Department of Justice and Equality, we have, in consultation with the Garda Commissioner and throughout the period since I was appointed, looked at the developments, the areas where vacancies would arise, predicted where we might be at the end of February, and made decisions accordingly.

Deputy Jonathan O'Brien: The Minister said the Commissioner was aware these appointments were going to be before the Cabinet today. When did he become aware that the appointments were to be made?

Deputy Alan Shatter: The memo on the matter, without breaching the concept of Cabinet confidentiality, would have been prepared — if it is of assistance to the Deputy to know this — before last week. Appropriately the matter was before the Cabinet today.

Deputy Jerry Buttimer: Will the Minister allay the suspicions of Deputy Dara Calleary by confirming that the announcements made today will lead to enhanced policing and that they will not in any way diminish—

Acting Chairman (Deputy Michael McCarthy): The time allowed for this question is diminished. We must move on.

Deputy Jerry Buttimer: The world will not end on 29 February.

Deputy Alan Shatter: It is important that we confirm for Deputy Dara Calleary who constantly thinks the world is about to end — every weekend he seems to issue a statement suggesting the end of the world is nigh—

Deputy Dara Calleary: I took lessons from the Minister.

Deputy Alan Shatter: —that the world will continue beyond 29 February right into March, April and May. The Government will continue to make positive decisions to the benefit of the country, not just in the areas of justice and defence but also across the broad range of areas in which my colleagues in government work.

Legislative Programme

68. **Deputy Pearse Doherty** asked the Minister for Justice and Equality the date on which he will publish a new consolidated Prevention of Corruption Bill; and if he will make a statement on the matter. [6543/12]

Deputy Alan Shatter: The heads of a Bill to reform and consolidate the Prevention of Corruption Acts 1889 to 2010 are being developed within my Department and I hope to bring them to the Government before Easter for approval and publication. It is my intention to publish and refer them to the Oireachtas Joint Committee on Justice, Defence and Equality prior to the drafting of the Bill. Given that the shape of the proposed legislation is not yet in its final form and that the Government has not yet had sight of the new proposals, I do not wish to comment in any detail on the content of the proposed legislation at this juncture. However, my overall objective is to clarify, consolidate and reform the provisions contained in the seven enactments that make up the Prevention of Corruption Acts 1889 to 2010.

The State is party to a number of international instruments in this area, including the Council of Europe Criminal Law Convention on Corruption and the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions. Last November, following the approval of the Dáil, I made arrangements to have the UN Convention against Corruption ratified by the State. Ireland's full participation in the convention is important in demonstrating our commitment to tackling corruption within the State and in a global context. The State is also an active participant in the OECD working group on bribery in international business transactions and the Council of Europe group of states against corruption.

The new Bill will make corruption legislation more accessible by replacing seven overlapping statutes with one consolidated measure. It will also afford an opportunity to review and improve the legislation in this area in the light of our experience as a member of the international anti-corruption groups. I look forward to publication of the heads of the Bill which will allow all interested parties to make an input to this important anti-corruption measure.

I hope the number of Bills we intend to give to the Joint Committee on Justice, Defence and Equality for consideration does not overwhelm its capacity to do its work, but I am looking forward to the input tDeputies Calleary, O'Brien and others may make to the development of that legislation.

Deputy Jonathan O'Brien: I thank the Minister. The reason I have tabled this question is that we are considering the whistleblower legislation and I thought this Bill was essential to complement it. It would not make sense to have one without the other. I welcome the announcement that the committee will see the heads of the Bill before Easter. Getting the heads of the Bill before we get the Bill is very welcome; this has proved to be productive in the case of other legislation. The programme of legislation was set out in this area included a consolidation Bill, but the Minister has said today that he is also considering reforming and improving the law in this regard, which is welcome. As we are now in a completely different situation, this legislation needs to move beyond consolidation. However, I welcome the improvements and reform.

Deputy Alan Shatter: I thank the Deputy for his positive comments. As should be obvious at this stage, there is substantial work ongoing in my Department in modernising various areas

of the law and consolidating legislation. This area is particularly important; we need to ensure we have a coherent, accessible body of law to deal with corruption issues and the broad range of white-collar crimes, to which the Bill will make a substantial contribution. I hope it will also make life somewhat easier for An Garda Síochána and the Director of Public Prosecutions in addressing issues that arise to which the legislation is relevant. As I said — I genuinely mean this — I look forward to the input of Members on the heads of the Bill. If the heads are placed before the committee either just before or shortly after Easter, we should be in a position, certainly by the summer vacation, for the committee to report back in order that we can develop the Bill further with the assistance of the Office of the Attorney General.

Deputy Dara Calleary: I compliment the Minister on the initiative of placing the heads of Bills before committees which will make the legislative process a lot easier. Would he consider also giving the Bill to the Joint Committee on Finance, Public Expenditure and Reform and perhaps the Joint Committee on Jobs, Social Protection and Education to get their input? We would probably have a finer process at that stage.

Deputy Alan Shatter: The formula used in the House is that a Bill goes to the Joint Committee on Justice, Defence and Equality, but, as Members know, it is open to any Member to participate in a committee's deliberations on a Bill. The membership of a committee is only relevant in the case of a vote; this would not arise in the consideration of the heads of a Bill. It is completely open, for example, to the Chairman of the Joint Committee on Justice, Defence and Equality to have a joint meeting with the Joint Committee on Finance, Public Expenditure and Reform, where that is seen to be appropriate, or to ask that or any other committee to make an input into its deliberations in order that when the committee reports, it can embrace the views of other Members of the House. That is a matter for the discretion of the Chairman. It is important that we ultimately receive feedback or a view from the main committee rather than obtaining a series of diverse views from other committees which may not engage in dealing with the legal complexities involved. However, I would certainly encourage the holding of a joint committee meeting if it was the view of members of the justice committee and the Chairman that it would be appropriate to have such a meeting.

Organised Crime

69. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the extent to which the necessary personnel, general resources, communications, mobile equipment, intelligence and forensic facilities continue to be available to gardaí to tackle the on-going activities of criminal gangs; the extent to which the activity of such gangs continues to be monitored at present with a view to taking steps to de-commission them; and if he will make a statement on the matter. [6517/12]

398. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the extent to which adequate provision is being made to tackle organised crime with particular reference to surveillance and monitoring the activities of criminal gangs; and if he will make a statement on the matter. [6921/12]

399. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the extent to which it is expected to concentrate the resources available to the Garda Síochána on the activities of organised crime; the efforts being made to identify the level and scale of such activity with a view to taking measures likely to detain such persons in the public interest; and if he will make a statement on the matter. [6922/12]

400. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if he is satisfied that adequate resources can be made available to the Garda Síochána to meet the on-going and increasing threat arising from the activity of criminal gangs; and if he will make a statement on the matter. [6923/12]

Deputy Alan Shatter: I propose to take Questions Nos. 69 and 398 to 400, inclusive, together.

The Deputy will be aware from the replies I have provided for him in response to a number of recent parliamentary questions of my determination to ensure the necessary resources and measures will be in place to deal with organised crime, the fight against which is one of a number of priorities I have specifically set for the Garda Síochána in the Garda policing plan for 2012.

The issue of organised crime on the island of Ireland was also one of the subjects discussed at the tripartite meeting held on Wednesday last involving the Northern Ireland Minister of Justice, Mr. Ford, and the Scottish Cabinet Secretary for Justice, at which we considered the interaction between organised crime in Ireland and Scotland and what could be done to achieve better co-ordination in these areas.

The Garda Commissioner is responsible for the allocation of resources, including personnel, within the force; this is a function which is exercised in close consultation with his senior management team. The Commissioner has indicated that the Garda Síochána deploys significant resources for operations and strategies aimed at targeting, dismantling and disrupting criminal networks using advanced analytical and intelligence-led methodologies. Moreover, he has confirmed that this is a process that will be maintained.

In implementing Garda actions a multi-agency law enforcement approach is used as part of which Garda national units from the national support service work together to combat those involved in organised crime. Furthermore, the multi-agency operations are supported by Garda personnel at divisional and district level. The multi-disciplinary approach also plays a key part in targeting the assets of individuals and groups involved in criminal enterprises. This includes the ongoing work of the Criminal Assets Bureau, the use of proceeds of crime and money-laundering legislation, and co-operation between the Garda and external agencies such as the Revenue Commissioners, the Customs service and international law enforcement agencies. This comprehensive approach has led to many successes in combating organised gangs, depriving them of their financial resources and bringing individuals involved in such groups before the courts.

I appreciate that the Deputy has asked a number of specific questions about how the Garda Síochána operates in the fight against organised crime. Perhaps we will might back to these in a supplementary question.

Additional Information not given on the floor of the House

Owing to the nature of the relevant Garda activities, I am sure the Deputy will appreciate that it would not be appropriate for me to go into detail on the measures the Garda is adopting. I can, however, confirm that they are extensive and have proved to be very successful. In the circumstances, I hope the Deputy will appreciate the extent to which measures have been put in place to combat criminal gangs. The Commissioner has indicated that the pressure being put on gangs will continue. They will be monitored and kept under constant review, as will the level and nature of Garda resources required to continue to target their activities.

Deputy Bernard J. Durkan: I commend the Garda on its ongoing efforts to tackle the problem. The issue I raise is specifically related to organised crime. Has the Minister identified a number of measures which might have the effect of decommissioning, for want of a better

description, highly organised criminal gangs which seem to have ready access to firearms and be the only groups in society not suffering in the recession?

Further, in identifying issues to address these matters has the Minister considered the punishment that follows prosecutions and whether that is in line with what is required at present given the threat presented by organised criminals?

Deputy Alan Shatter: Obviously the Garda deploys a range of different strategies in targeting organised crime, those engaged in drug crime and those who use firearms, and the Deputy would not expect me to reveal those strategies in the House. However, I share the concern of every Member about the extent to which those engaged in organised crime are using firearms, their lack of respect for human life and their capacity to cause serious injury not only to those engaged in competitive crime gangs but also to the general community.

The Garda has been very successful in bringing prosecutions against many of those who have been involved in violence. Our legislation prescribes a variety of sentences for conviction of a broad range of offences. It is not for me to comment on sentences passed by our courts because they are independent. However, it is very important that the sentence passed fits the crime that has been committed and for which an individual has been found guilty.

Deputy Dara Calleary: The Minister previously indicated his intention to discuss with his European colleagues an extension of the Criminal Assets Bureau, CAB, model on a European basis. Can he update the House on how that is progressing? Second, with regard to the Minister's meeting with the Northern Ireland Minister for Justice, Mr. Ford, last week, are there any priorities for cross-Border co-operation in this area at present?

Deputy Jonathan O'Brien: Has the Garda Commissioner asked for any resources that we have been unable to provide due to the economic circumstances?

Deputy Bernard J. Durkan: Will the Minister indicate the extent to which information is available to the Garda on the total number of people involved in organised crime who have not been brought before the courts, with obvious consequences?

Deputy Alan Shatter: I will take the questions in reverse order. There is substantial information available to the Garda on a broad range of individuals who might be engaged in criminality. I do not wish to say more than that. As to those who have not been brought before the courts on criminal prosecution, the Criminal Assets Bureau has performed a very important function in targeting assets that appear to have no legitimate origin and that are clearly the proceeds of crime. That is a hugely important mechanism.

On Deputy Calleary's question, I am happy to confirm that matters are advancing substantially in Europe with regard to a framework of criminal assets bureaus across Europe. I expect some announcements from initial work done in this area at Commission level to be made within the next two to three months. I have had direct discussions on this issue with Commissioner Reding, who is co-ordinating with other colleagues in the Commission. It will be a substantial priority of the Irish Presidency of the EU next January.

Dealing with organised crime is a specific matter of conversation between myself and the Northern Ireland Minister for Justice, Mr. Ford, and between the two police forces, North and South. There is huge co-operation in these areas. There have been substantial drug finds as a consequence of that co-operation and laundered fuel has been seized. More recently, major hauls of tobacco and cigarettes brought illegally into the State were derived from co-operation in the area of organised crime between the Police Service of Northern Ireland, PSNI, and the Garda Síochána.

Prisoner Releases

70. **Deputy Michael Colreavy** asked the Minister for Justice and Equality the results of the Irish Prison Service comprehensive review of the pilot project which involved electronically tagging and monitoring 31 prisoners on release; and the date on which this review will be published. [6535/12]

Deputy Alan Shatter: Part 10 of the Criminal Justice Act 2006 provides for the introduction of electronic monitoring, or tagging as it is also known, in this jurisdiction. My predecessor made the relevant order in 2010 commencing the provisions in the context of a restriction of movement condition applying to the granting of temporary release.

A project board was set up at the time to examine the area of electronic monitoring, EM. The board recommended that a pilot project be initiated to test EM technology in this jurisdiction and assess its value for money in the management of offenders. This recommendation was accepted and a decision was taken to explore, on a pilot basis, the use of global positioning system, GPS, satellite tracking monitoring technology on a small number of volunteer prisoners.

Following a public tender competition, the Irish Prison Service tested the use of this technology on a small number of prisoners, 31 in all, who were given temporary release. The test phase began in August 2010 and ran until Christmas 2010. The group of prisoners involved were carefully selected having regard to a range of criteria, including the nature of the offence, public safety and overall conduct in prison. I am informed that prisoner compliance was high and only one prisoner was recalled due to a curfew violation.

Following the pilot project, the Irish Prison Service, IPS, has undertaken a review of its viability in the management of offenders along with a cost benefit analysis. That review will be considered in the context of the IPS draft strategic plan for 2012 to 2014 which I expect will be submitted to me at the beginning of April. Finally, in line with the recommendations in the report of the Thornton Hall project review group, the Deputy will know that I am establishing a group to carry out an all-encompassing strategic review of penal policy. That group will also look at this issue. We might be in a position to make some further decisions on this matter when the strategic plan has been finalised.

Deputy Jonathan O'Brien: The review will be available in April — possibly — and the penal policy group will be examining this. Does the Minister not agree that electronic tagging has its limitations? It might show where a person is but it does not show what they are up to or with whom they are associating. In the wider policy on rehabilitating prisoners before releasing them back into the community, there are pre-release programmes and peer support programmes. Will a holistic approach be taken to this issue or is it being looked at in isolation as something the Department wishes to implement?

Deputy Alan Shatter: We are not looking at it in isolation. We have some pre-release programmes and there are a number of organisations, funded through the Department, that also look after prisoners following their release. The Probation Service engages with a considerable number of prisoners before they are released. Tagging is just one of a number of options available. It has proved useful in other jurisdictions but I am anxious to see what is reported back as a result of the initial pilot scheme, on which the work has been done, and in the strategic review. I expect it might have a role in the future but, again, there are resource issues with it. No final decision has been made as to whether we will proceed further with tagging in 2012 or 2013 or whether priority will be given to other forms of intervention.

Garda Stations

71. **Deputy Dara Calleary** asked the Minister for Justice and Equality if he will outline on a

county basis the number and name of each additional garda station that will close or will have its opening hours restricted during 2012, 2013 or 2014; and if he will make a statement on the matter. [6551/12]

Deputy Alan Shatter: The names of the Garda stations which are scheduled to close in 2012 have been provided to the House in the policing plan for An Garda Síochána which I lodged with the House last December. For ease of reference for the Deputy I am circulating with this answer a table containing the names of those stations together with the names of the stations which will have reduced opening hours. This is information that has previously been published and circulated.

In relation to closures in future years, the position is as set out in the Garda Síochána Act 2005. Under the Act, the Garda Commissioner must submit to me, by the end of October of each year, a draft policing plan for the following year. That plan must contain, among other items, any proposals the Commissioner has for the closure of Garda stations or for amending district or divisional boundaries. The Deputy will appreciate, therefore, that I cannot comment on the likely contents of policing plans for the years 2013 and 2014 as they have not yet been drafted. However, I have stated that I expect it is likely that the plan will include provision for some further closures.

Table A: Garda stations proposed for closure

Region	Division	District	Station
Western Region	Clare	Kilrush	Carrigaholt
Western Region	Galway	Galway	Corrandulla
Western Region	Mayo	Beal an Mhuirthead	Bellacorick
Western Region	Mayo	Castlebar	Glenisland
Western Region	Mayo	Castlebar	Tourmakeady
Western Region	Mayo	Westport	Mulranny
Western Region	Ross/Long	Castlereagh	Loughglynn
Western Region	Ross/Long	Boyle	Tarmonbarry*
Western Region	Ross/Long	Boyle	Cootehall
Southern Region	Limerick	Askeaton	Shanagolden
Southern Region	Limerick	Bruff	Doon
Southern Region	Cork North	Cobh	Glenville
Southern Region	Cork West	Clonakilty	Castletownsend*
Southern Region	Cork West	Clonakilty	Ballygurteen*
Southern Region	Cork West	Kanturk	Knocknagree
Southern Region	Cork West	Bandon	Ballyfeard
Southern Region	Cork West	Bantry	Goleen
Southern Region	Cork West	Macroom	Inchigeela
South East Region	Tipperary	Thurles	Ballinure*
South East Region	Tipperary	Menagh	Ballinderry*
South East Region	Wexford	New Ross	Ballywilliam*
South East Region	Wexford	Wexford	Baldwinstown
Southern Region	Kerry	Listowel	Ballylongford
Southern Region	Kerry	Listowel	Moyvane
Southern Region	Kerry	Tralee	Clochan
Northern Region	Cav/Mon	Monaghan	Clonibret
Northern Region	Cav/Mon	Monaghan	Smithborough
Northern Region	Cav/Mon	Baileboro	Tullyvin

[Deputy Alan Shatter.]

Region	Division	District	Station
Northern Region	Donegal	Glenties	An Duchoraidh (Doochary)*
Northern Region	Donegal	Bally shannon	Dunkineely
Northern Region	Donegal	Buncrana	Culdaff
Northern Region	Sligo/Leitrim	Ballymote	Bunnanadden
Northern Region	Sligo/Leitrim	Manorhamilton	Drumkeeran
Northern Region	Sligo/Leitrim	Manorhamilton	Kiltyclogher
Eastern Region	Laois/Offaly	Tullamore	Geashill*
Dublin Metropolitan Region	DMR South Central	Pearse St	Harcourt Terrace
Dublin Metropolitan Region	DMR North	Ballymun	Whitehall
Dublin Metropolitan Region	DMR North	Balbriggan	Rush
Dublin Metropolitan Region	DMR East	Dun Laoghaire	Dalkey

* Non-operational

Table A lists four Garda stations located within the Dublin metropolitan region and 35 stations located outside the Dublin metropolitan region identified which are scheduled to close this year.

Table B: DMR stations identified for reduced opening hours

Division	District	Stations
DMR East	Blackrock	Stepaside
DMR East	Dun Laoghaire	Cabinteely
DMR East	Dun Laoghaire	Kill O Grange
DMR South	Crumlin	Sundrive
DMR South	Terenure	Terenure
DMR West	Blanchardstown	Cabra
DMR North	Coolock	Malahide
DMR North	Ballymun	Santry
DMR North	Raheny	Howth
DMR South Central	Donnybrook	Donnybrook

Table B lists the ten Garda stations identified within the Dublin metropolitan region which will have their public opening hours reduced in 2012 from a 24 hours service to being open between 8 a.m. and 10 p.m. only.

Deputy Dara Calleary: Does the Minister take independent advice apart from that given by the Garda Commissioner when he recommends station closures? Does he take advice from people in his party who are local representatives or from local community organisations? One of the stations that will be closed is Mulranny Garda station in my constituency of County Mayo, which is also the Taoiseach's constituency. It is a small village but the opening of the Great Western Greenway will put some 50,000 people per year through the village. The Garda Commissioner, however, with the Minister's approval, has closed the Garda station. With this extra volume of people — I hope there will be many more — concern is being expressed in the community about the loss of the Garda station which is now open for two hours a day. This does not make sense to the people of Mulranny. One might have made an argument for the closure of the station three years ago, before the Great Western Greenway was developed,

but not now. The same could apply all over the country. Does the Minister take independent soundings before he brings the argument in favour of closing Garda stations to the Cabinet?

Deputy Alan Shatter: This is a management issue for the Garda Commissioner. It is something that can be the subject of a conversation between us, but the Garda Commissioner has a statutory function in this regard. It would not be appropriate, therefore, for the Minister to designate or identify particular stations for closure.

The Deputy has made the case for closure. He is talking about a Garda station that is only open for two hours a day. Many police stations are in place for historical reasons; there was no overall policing strategy. They were built before all the modern systems of technology became available and before we had internal Garda communications systems or mobile phones. They date back to a time when there were not many cars on the road. If we are to provide an effective policing service, we must do it using modern technology and communications systems.

It is difficult to argue that a Garda station that is open for only two hours a day plays a major security role for any local community. What is important is that the local gardaí in the overall district know the areas of difficulty and are able to respond when an incident occurs or to prevent one occurring.

Deputy Dara Calleary: The Minister does not get it. He does not understand this is not just a security issue. He is living in Dublin. Any Dublin Deputy will not understand that more than security is at stake. In a village to which 50,000 people are brought every year there may be a greater need for security, although we hope not.

Extra information is available with which the Minister should be provided by the Commissioner independently. I accept that the Minister does not wish to involve himself in a management decision. However, he should consider independent views.

Coroners Service

72. **Deputy Derek Keating** asked the Minister for Justice and Equality if he is satisfied with the current practice by coroners in relation to the reporting of suicide; if there is a need for a review of our coroner's service; his plans to review the legislation governing the practice of coroners; and if he will make a statement on the matter. [6510/12]

Deputy Alan Shatter: Under the Coroners Act 1962, a coroner is an independent officeholder with responsibility under law for the medico-legal investigations of the circumstances of sudden, unexplained, violent and unnatural deaths. Regrettably, there is an increasing number of cases in society that involve suicide and fall to be investigated by coroners. In the conduct of that investigation I am mindful that coroners bear a heavy duty in reaching the verdict of suicide. However, a coroner must be sure as to the cause of death. He or she cannot rush to a judgment, even though on first consideration the conclusion of suicide may be very much apparent. In that regard, I am satisfied that appropriate verdicts in relation to suicide are being recorded.

Coroners must ensure a proper public investigation is seen to take place in order to reassure the public as to the cause of death in all cases of reportable death. I am aware that it is the practice of coroners to be especially sensitive in so far as possible to the needs of families in the handling of all inquests, particularly so where suicide may be in question. I am aware of the hurt and trauma involved for family members and relatives in all tragic deaths but perhaps especially so in regard to suicide.

In regard to suicide, preventive measures and interventions can assist a person in distress from taking that very final step. In that regard, I pay tribute to the Deputy's work on behalf of Pieta House.

[Deputy Alan Shatter.]

The Coroners Bill 2007 is before the Seanad, having been restored to the Order Paper on my initiative. The Bill is in the course of being reviewed in my Department with a view, among other matters, to making it as cost-effective as possible. As published, it provides for the comprehensive reform of existing legislative structures relating to coroners and the establishment of a new Coroner Service. It incorporates many of the recommendations made by the coroners review group in 2000 and the coroners rules committee in 2003 and aims to fulfil various obligations placed on the State by the European Convention on Human Rights, particularly the Article 2 requirement in relation to the investigation of deaths of persons involving the State. The Civil Law (Miscellaneous Provisions) Act 2011 provides for some early reforms in coronial matters, including an amalgamation of the Dublin county and city coronial districts. It is my hope to progress the Coroners Bill before the end of the year.

Deputy Derek Keating: I thank the Minister for his kind comments. I am pleased that there is greater debate across the floor of the House on the issue of suicide and the need for increased resources for suicide prevention measures. The Coroner Service is at the heart of my question. Is the Minister aware that there is no consistency among coroners when it comes to reporting deaths by suicide? Is he aware that the coroner in County Roscommon, for example, will not report such deaths? Is he that the profession is well served by the legislation governing the practice of coroners? Coroners should have a facility to prepare people who have to attend a Coroners Court to give evidence when a tragic death takes place, whether by road accident or suicide. A liaison officer should meet family members and those giving evidence to assist and support them through the process. There is a need for a directive from the Minister to establish standard operational procedures whereby coroners could respond in a correct manner in order that there would not be different standards of reporting in different counties.

Deputy Alan Shatter: The Deputy will appreciate that, because of the independence of coroners, it would not be appropriate for me to comment on the approach taken by an individual coroner. The duty of a coroner is to accurately record the cause of death and it is crucially important that he or she do so.

In so far as reform is required in this area of the law, the Bill my predecessor published is being reviewed in my Department. The Deputy is welcome to make a contribution to its further development because some aspects need to be amended, while further reforms will be brought forward.

It is important that family members are treated with insight and sensitivity when a death occurs, whether as a result of suicide or otherwise. Services are, of course, available within the HSE to provide assistance and counselling for families who suffer bereavement as a consequence of suicide.

I would welcome the Deputy's contributing to the work we are doing on the Coroners Bill. I would be happy to engage with him in that context.

Deputy Derek Keating: I thank the Minister. I will be happy to take up his offer to participate in the review.

Written Answers follow Adjournment.

Leaders' Questions

Deputy Micheál Martin: Last week I asked the Taoiseach if the Government had a national plan to protect front-line services following the well flagged and expected exodus of public

servants on 29 February. He responded that the Government “has no intention of allowing a situation where it is not possible for front-line services to be fulfilled.” He added that there was a central planning unit and sectoral planning units in place. However, he made no mention of the establishment of transitional teams, about which we had to wait last Sunday last to hear. A short while ago the Minister for Justice and Equality was unable to confirm the existence of a specific transitional team in his Department.

It appears that the transitional teams are stable door closing committees. This illustrates the mismatch between what is being said in the House and the reality on the ground. This is what we are picking up throughout the services. Various Ministers are saying the process of redeployment is being put to the test as a result. However, the trade unions are stating redeployment is not an issue, as there is total co-operation on the issue. It would appear that the real crux is when business plans are being sent up the line after redeployment has been agreed but are not being given the green light. That is particularly evident in the health sector. Maternity services are especially vulnerable to a situation such as this, and personnel are absolutely required to ensure safety and the avoidance of any difficulties. We gave the example of the maternity hospital in Limerick. Redeployment has been agreed locally and there is a need for additional staff after redeployment. One month after the business plan has been sent up the line, however, it has not been approved and it has not got the green light.

Yesterday the Minister for Health finally admitted that public patients will have their surgery cancelled as a result of what is happening.

An Leas-Cheann Comhairle: You are over time, Deputy.

Deputy Micheál Martin: These things would not be happening if there had been a planned approach to this particular issue. Why are we getting a constant drip feed of issues arising from the difficulties caused by this exit from the public service?

The public and the workers are awaiting certainty and guidance from the Government on this issue. If there is a plan, will the Taoiseach agree to publish it? Will he publish all documentation in every Department outlining the transitional work that is under way?

The Taoiseach: Deputy Martin is aware that there have been programmes over the years, involving every commentator in the land, about the bloated extent of the public service and the requirement to reduce overall numbers and, consequently, the cost of the public sector due to the impact down the line on pension payment requirements. Planning has been ongoing for quite a long time in this area. However, the situation in respect of the numbers leaving the public service at the end of February has not crystallised until recent days. While there has been quite a deal of intensive work across Departments, the figures did not become clear until very recently.

Given the age profile of public servants, it was assumed that up to 9,000 whole-time equivalent workers would retire by the end of February 2012. Provisional figures indicate that public service numbers fell to around 297,000 by the end of 2011 compared with the projected figure of 300,000. Latest figures indicate that 6,600 people plan to retire in January and February this year. The figures in the Department of Health go from September to the end of February. The expectation in the education sector is for 2,000 staff to retire while for the Civil Service it is 1,008 and in the health sector it is 2,263. There were 1,433 staff who went in 2011. Local authorities expect 859 staff to retire while 241 plan to retire from the Defence Forces and 297 from the Garda Síochána.

It is nothing new to have several thousand people leaving the public sector each year in the normal way. Given the figures we know by the end of February 2012, it is right and proper

[The Taoiseach.]

that the transition be managed in a proper fashion so that services are not diminished for people who actually need them. That is why there should be transitional teams in the five areas of health, education, local government, justice and defence, headed by assistant secretaries in each Department, and that this line of communication right down to local planners would have a clear understanding of how they propose to continue to provide services following these retirements.

An Leas-Cheann Comhairle: Thank you, Taoiseach.

The Taoiseach: On top of that, there should be very active communication with the people about what is happening.

The Deputy has rightly identified health as being of particular importance. He spoke about redeployment. I listened to the nurses' representative this morning working towards the objective of providing proper services for everyone. The Cabinet sub-committee on health had a meeting last week on this issue. There is another meeting about it tonight in my own Department. By next Tuesday, the transition teams and the way they are going to manage the business in each sector will be presented by the Minister for Public Expenditure and Reform in a memo to the Cabinet. There will be clarity, understanding and a communication to the people about how this will work.

Deputy Micheál Martin: I take it from that reply that no transition teams are in place today. Last Sunday the Taoiseach said on RTE that the Government had set up transition teams. We have to move away from saying one thing on Sunday and another thing on Tuesday.

Deputy Pat Rabbitte: Spoken like a true expert.

(Interruptions).

Deputy Micheál Martin: I agree with the Taoiseach that health is the most vulnerable sector. It is clear that there is an absence of any planning in this area. Surgery would not be cancelled to the extent that has occurred if there was any degree of planning in advance. There is now a nine month delay in processing medical card applications. There is not a Deputy in the House who has not been called by people about this issue, especially those who are applying to have their medical cards renewed. Does the Taoiseach realise that chronically ill patients who have been on medical cards for years have to pay between €120 and €150 to get life-saving medicine? It is very serious.

If people were planning and had some idea of what was happening on the ground, at least they would immediately tell pharmacists to allow the medication while the application for the medical card is being processed due to the inordinate delays at central level. The Government could take the practical step of making an executive order stating that those applying for a renewal of their medical card keep getting their medication under the old card until a decision has been made on their renewal application. Chronically ill patients are being put under enormous pressure when procuring life-saving drugs. I am not making that up. People across the House are regularly getting such calls. The Government could immediately act on this, as it could on community services, planned surgeries and so on.

Have any transition teams been established in any Department, or is it just something the Taoiseach invented on Sunday and is now going to follow through because it sounded good on "This Week"? Could he give Members the timeline for the establishment of these transition teams? They are urgently needed, especially in the health area.

The Taoiseach: The Deputy is very good himself at saying things that never happened. If he just listened to what I said, he would have heard that the figures for those leaving in the sectors I mentioned only became clear at the weekend. For that reason, it is right and proper that a plan be put in place in order that we can communicate to people about what is going to happen and how that will be managed. In the health area, for example, I expect that local hospital managers will be available to clarify the plans they have in place.

All of these discussions have taken place for quite some time, but in the absence of accurate figures. We now know those figures. The Cabinet sub-committee dealing with health confirmed this last week. There is also a meeting in my own Department this evening and all of these teams will be named and placed and approved by the Cabinet next Tuesday, so that people——

Deputy Micheál Martin: That is the stable door closing.

The Taoiseach: ——will be well aware of the process by which the change will be managed in every area throughout the country in respect of——

Deputy Micheál Martin: There are no teams in place. Sunday's announcement was not quite correct then.

Deputy Pat Rabbitte: It is the team that we have had for the past 14 years——

The Taoiseach: The Deputy will recall the planning issue when he said he would give medical cards to those over 70.

Deputy Micheál Martin: In spite of the rugby match, people were keenly listening to what the Taoiseach was saying on Sunday.

The Taoiseach: The Deputy will recall that he agreed to give medical cards to every person over 70 years and he assumed this would be about 10,000 people. He miscalculated by 60,000 at least.

Deputy Micheál Martin: We did it and it was a very good public health measure.

Deputy Timmy Dooley: These are just 15 committees.

The Taoiseach: I think it is only right and proper that the Government should plan properly, based on the accuracy of figures which we now know and this is what is under intensive discussion here.

Deputy Micheál Martin: But do they exist?

The Taoiseach: It will come before Cabinet next Tuesday. Transition teams will deal with the areas, now that we know the accuracy of the figures.

Deputy Pat Rabbitte: For the information of Deputy Martin, we found the missing briefs.

Deputy Timmy Dooley: Who was on Deputy Rabbitte's committee?

Deputy Billy Kelleher: The Taoiseach is having another Roscommon moment.

An Leas-Cheann Comhairle: Could we have order, please.

Deputy Gerry Adams: I agree with Deputy Martin regarding the plight of citizens who are waiting for new medical cards and who are caught in a bind because they have not received

[Deputy Gerry Adams.]

their medication. However, I want to talk to the Taoiseach about a different issue. Yesterday, the Minister for the Environment, Community and Local Government, Deputy Hogan, announced a temporary reduction in the registration cost for septic tanks from €50 to €5 and this is to be welcomed. However, hundreds of thousands of rural dwellers still face the prospect of punitive bills for the upgrading or replacement of septic tanks. Does the Taoiseach accept that this discriminates against rural dwellers, that it is an attack on them and on rural communities? Billions of euro have been spent on upgrading and providing a modern sewerage system in urban areas. Rural households helped to pay for this with their taxes yet they are being forced by the Taoiseach's Government to bear the burden of the cost of improvements, upgrades or replacement. Is dona an scéal é go bhfuil pobal na tuaithe faoi ionsaí ag an Rialtas agus tá na mílte daoine ag cur in aghaidh an pholasaí seo trasna an Stáit. Sílim go bhfuil an ceart acu. The Taoiseach insists that rural householders will have to make improvements. We are in agreement about a clean environment and clean water and so on but on the other hand he is failing to provide standards or funding, he is threatening citizens with fines and prosecutions if they do not comply and he will criminalise rural households. Should not all people be treated equally? In another flip-flop, the Minister, Deputy Hogan, said this morning that some financial aid will be available but he did not give any details. I ask the Taoiseach to assure rural dwellers and communities that a full grant aid scheme will be available for those who are forced to upgrade their septic tanks.

The Taoiseach: I understand Deputy Adams has a holiday cottage in Donegal but I am not sure if it is connected to the public sewerage scheme. I suggest the next time he is there he should have a look. I am quite sure this is the first time for a long time that I have heard him welcome anything in this House. I am pleased he welcomes Deputy Hogan's common-sense approach to this matter. I am quite sure we are going to have people spluttering into their pints and saying, "Oh God, I should not have bought this, I should have registered the septic tank instead." For less than the price of a pint in many establishments, a person can register the fact that he or she is the owner of a septic tank. As Deputy Adams will undoubtedly agree, what we need in this country is clean water and safe water. I refer to the situation in Galway city just a few years ago where the reputation of our country was diminished by the existence and the extent of cryptosporidium in the water and its impact on industry. I am quite sure that even Deputy Adams, from his party's perspective, wishes to see as many people as possible employed and to have an environment and a water quality that is up to standard.

I have listened to hysterical comment about this and many other matters in the past few weeks. I have seen startling headlines and I have heard the Fianna Fáil Party say that rectification or improvement of a septic tank will cost €20,000. I have heard others say it will cost €17,000—

Deputy Micheál Martin: It is the Taoiseach's own regulatory impact assessment, the Government's own document.

Deputy Timmy Dooley: Deputy Michael Ring knows all about it. He is dealing with these things every day of the week.

Deputy Alan Shatter: That is the gold-plated version.

An Leas-Cheann Comhairle: Order, please.

(Interruptions).

The Taoiseach: Any household can now register within the period at a cost of €5——

Deputy Mattie McGrath: A Fiver Monday.

Deputy Alan Shatter: Deputy McGrath has been deep in it——

The Taoiseach: ——and next year, when the inspections commence — má tá tú ag dul a chaint faoi shéarachas, beidh mé ag caint leatsa Mattie, in a minute. It is not a universal inspection as was proposed in the Fianna Fáil proposal that every septic tank in the country would be inspected. In this case a sample number will be inspected based on quality of water. If a person is deemed to be the owner of a septic tank that is not in good condition, that is, living up to environmental standards, then the owner will be required to desludge the tank, which means, empty the tank and have the contents disposed of in the local authority system.

Deputy Alan Shatter: Deputy McGrath is the expert on desludging. He is a postgraduate and has a doctorate in desludging.

(Interruptions).

An Leas-Cheann Comhairle: Order, please.

The Taoiseach: Deputy Adams will be aware, as the leader of his party, that his own members in Northern Ireland comply with and support charges that are very much in excess of what is being charged down here. This is part of a common-sense approach to have clean and safe water and having septic tanks that do what they are supposed to do — I acknowledge that the vast majority of them do so. Thousands of septic tanks were built under section 4 notices and where there was a lot of political input as much as input into the septic tanks——

Deputy Mattie McGrath: Very few and none in Tipperary.

The Taoiseach: In some cases these septic tanks were built on the borders and along the fringes of lakes and rivers where it is clear they could not function, given the status and structure implicit in those times.

Deputy Timmy Dooley: Of course, no Fine Gael councillors were bad.

The Taoiseach: This is the issue and I remind Deputy Adams it will not be at a cost of €20,000, €17,000 or €10,000. It will cost €5 to register and if a random inspection decides there is a requirement then the consequence is that the septic tank must be deslugged, emptied and the contents disposed of properly in the local authority sewerage system.

An Leas-Cheann Comhairle: Deputy Adams has one minute for a supplementary question. Order, please.

Deputy Dinny McGinley: Give them back the fivers, Mattie. Pay back the fivers you took from the people.

An Leas-Cheann Comhairle: Minister, please. I have called Deputy Adams.

Deputy Dinny McGinley: Give the fivers back. You are a fraud, Mattie.

Deputy Mattie McGrath: How dare you. I will not be accused of being a fraud by anyone.

An Leas-Cheann Comhairle: Deputy McGrath should resume his seat or he will leave the House.

Deputy Mattie McGrath: I will not accept that, as Gaeilge nó as Béarla.

An Leas-Cheann Comhairle: Leave the House, Deputy McGrath.

Deputy Mattie McGrath: I will not.

An Leas-Cheann Comhairle: You will leave the House.

Deputy Dinny McGinley: He is a fraud. Ionsaí na hInse.

An Leas-Cheann Comhairle: I ask the Minister of State please to allow Deputy Adams.

Deputy Mattie McGrath: He has repeated that remark. It is an outrageous accusation and a slur. I will not accept that from anyone.

An Leas-Cheann Comhairle: You will resume your seat, Deputy McGrath.

Deputy Mattie McGrath: It is not fair. Why is he accusing me?

Deputy Dinny McGinley: A political fraud of the first degree.

An Leas-Cheann Comhairle: Political charges are being made here. The Deputy will have an opportunity later. This is Leaders' Questions.

(Interruptions).

Deputy Gerry Adams: There is a certain benign arrogance in the way the Taoiseach addresses some of these questions. One week he referred to citizens as being mad and this week he referred to them as spluttering into their pints. I am advised the Galway problem was caused by a public sewerage scheme and not by private septic tanks. It is the case that septic tanks in the North are desludged every year and the cost is borne by the state. In all of the Taoiseach's ramblings——

Deputy Dinny McGinley: It is only 40%.

Deputy Gerry Adams: ——he avoided the question——

(Interruptions).

An Leas-Cheann Comhairle: Order, please.

Deputy Gerry Adams: Why cannot there be a full grant aid scheme? Just before Christmas, the Minister said this could cost citizens in excess of €8,000 but last night he said it would cost €100. I have attended public meetings, including in my constituency, and people just cannot afford to pay this. They see it as discrimination against them and I agree with them completely. Those directives dated back to 1975. Fianna Fáil, in its time, had plenty of time to bring this in. Labour and Fine Gael coalitions, in their time, had time to bring it in but they did not do it. Why should citizens in rural areas be expected to pay for what should be an essential right?

Deputy Pat Rabbitte: We will have to wait for Sinn Féin to desludge.

Deputy Gerry Adams: In any society people should have safe sewage and the State should uphold that. When one forces a system on people through a series of threats, fines and all the rest, why can the Minister not simply stand up and say that the State will bear the cost of upgrading any tanks that need to be upgraded?

Deputy Pat Rabbitte: Is there any bandwagon Deputy Adams would not get on?

The Taoiseach: On 29 October——

Deputy Dara Calleary: The Minister, Deputy Rabbitte, drove a few himself.

The Taoiseach: ——2009 the European Court of Justice ruled against this country. This has been going on since then without any action being taken. The Minister set out clearly what it is that he intends to do. Someone who registers in the first three months does so for €5 and inspections do not start until 2013. The inspections are not universal in the way that applied under the Fianna Fáil proposal. It is not a requirement to bring all septic tanks up to the 2009 standard as set by the Environmental Protection Agency. That only applies in the case of new septic tanks. There are matters that householders living in the country, as I do, can take into account, namely, the prevention of run-off water from the roof and outside buildings running into the septic tank——

Deputy Mattie McGrath: We all know that. Any clown would know that.

The Taoiseach: ——the treatment of grey water, as it is called, whereby phosphates in washing detergent going into the system affect the working mechanism of a septic tank, and the issue of pipes leading to manholes.

Deputy Mattie McGrath: Do they wash the roofs and all with washing powder?

The Taoiseach: Deputy Mattie McGrath knows all about that.

Deputy Mattie McGrath: Did he wash the roofs and all?

Deputy Timmy Dooley: They go to the toilet on the roof.

An Leas-Cheann Comhairle: Please, Deputy McGrath.

The Taoiseach: Even Deputy Mattie McGrath will understand that old-style septic tanks would overflow if they get filled.

Deputy Mattie McGrath: Tar ar ais.

A Deputy: You are full of it.

The Taoiseach: There is also a requirement to keep down the level of unnecessary liquid and sediment going into the tank in the first place. The Minister set out the structure. There are no inspections until 2013. I would encourage everyone to avail of the common sense offer of a registration for €5 in the three month period.

Deputy Mattie McGrath: It is not common sense; it is a climb-down.

Deputy Michael Ring: Is Deputy Mattie McGrath not happy?

Deputy Pat Rabbitte: Take a laxative, Mattie.

The Taoiseach: Far from the evidence of the hysterical ranting of Deputy Mattie McGrath and Deputy Ó Cuív, this is a common sense approach——

Deputy Mattie McGrath: The Government side would want a box of them.

The Taoiseach: ——to a problem we have had for a long time in this country but have done nothing about.

Deputy Martin's party put forward the view that we could get a derogation to allow us to cut turf all over the place for ten years, which was never the case.

Deputy Mattie McGrath: What is the Taoiseach talking about? That is rubbish.

Deputy Michael Healy-Rae: There is nothing wrong with cutting turf.

The Taoiseach: That is the kind of nonsense which prevailed for good Government and good governance in this country. In this case the Minister, Deputy Hogan, set it out clearly and reasonably. People in the countryside know that they want to contribute to having clean water——

Deputy Mattie McGrath: We know that.

The Taoiseach: ——and this will be done at a normal cost.

Deputy Timmy Dooley: People want to know the cost.

The Taoiseach: I assure Deputy Dooley that if the system is not working——

Deputy Mattie McGrath: Fix it, so.

The Taoiseach: ——the answer is that under this requirement the owner of the septic tank will have to desludge it. That means they will have to get it pumped out and treated properly in a local authority works.

Deputies: Hear, hear.

Deputy Timmy Dooley: What about the percolation area?

Deputy Finian McGrath: Very soon more than 3,000 people will leave the health service. Before the previous general election the Taoiseach made a big deal about the health service and reform, and also about the principle of a universal health service which many of us were prepared to support. Many people have genuine concerns about losing top quality people from front-line services, especially those in accident and emergency units, those involved in surgery, top class nurses and other quality health service staff. There are grave concerns about patient safety. Even the Minister for Health, Deputy Reilly, accepted publicly that operations would be cancelled or delayed.

Will patients suffer because of the retirements and what will the Taoiseach do about it? Will the waiting lists get even longer? Last week a senior citizen who is an amputee had his home help hours cut. What does the Taoiseach say to his family on this appalling situation? Is it true that acute hospitals will lose 330 staff, services for the elderly will lose 150 staff, the primary care area will lose 125 and mental health services will have 114 departures? How can they cope with this situation?

Who are the transition teams? What do they do and what is their remit? How can the Government say it can run the health service in the next few weeks given the huge loss of quality people? Does he not accept that it will lead to chaos in the health service?

The Taoiseach: The Government has set out its plan for the development and introduction of a universal health insurance system which will apply at the end of the Government's term of office. The Minister will publish a White Paper and there will be detailed consultations. The end result will be a better health system for everyone based on the need of the patient as distinct from his or her income.

That is precisely the reason for having competent transition teams to manage the exodus from the public sector in general. I have read out the figures. According to the latest figures, a total of 263 will leave the health service. That means approximately 1,433 left in 2011. What it means is that responsibility will be devolved to local planners in each hospital who will know how it is that they intend to deliver services depending on the numbers that leave in any particular hospital or in any particular sector in each hospital. Clearly, it is not equal across the board and it is not equal either in terms of the category of persons who leave. In that sense I noted the comment this morning from the representative of the INMO, Mr. Doran, on its view of focusing on the objective of giving best patient care and attention at all times. It is true that the end of the month will test the flexibility of the Croke Park agreement. In that sense, everything from redeployment to all of the other issues that apply in this regard, such as rosters and various categories of service provided, must be brought into play. It is clear that given the scale and challenge of providing continuing quality health care, it is necessary to have teams in place to deal with any situation that might arise, be it in health or any of the other sectors.

I cannot comment on the individual who is an amputee, to whom Deputy Finian McGrath referred, and whose home help service has been cut, but suffice it to say that care in the community such as home care packages is central to the delivery of health services by the Minister for Health. Community care, including home help, is critical. I have heard of reductions in home help hours in a number of cases in various parts of the country. A decision was obviously made by a manager in the HSE at whatever level. I would like such people being able to respond accurately and clarify why such decisions were made, but I do not have the details of the particular person to whom Deputy Finian McGrath mentioned.

Deputy Finian McGrath: The Taoiseach mentioned local planners. How can one realistically run an overcrowded accident and emergency department, for example, which is already under major pressure and stress, with fewer people? How can local planners deal with those issues on the ground? Can one carry out the same number of operations with fewer specialised nurses or doctors? That is a serious issue for many families and patients in the State.

Deputy Shane Ross: Hear, hear.

Deputy Finian McGrath: How, for example, can a disability service CEO provide the same emergency respite service with fewer hours and staff? For example, St. Michael's House has seen its staffing reduce by 123 under the Croke Park agreement, yet it has to cope with the situation. Will these wonderful transition teams turn up at Beaumont Hospital's accident and emergency department on a Saturday night and immediately whisk all of the patients on chairs and trolleys into beds? Does the Taoiseach now accept that within the next three weeks there could be a crisis in the health service? How will he sort it out with 3,000 fewer staff?

The Taoiseach: The Deputy is aware that 1,433 staff left the health service in 2011. Transition teams are not going to turn up in Beaumont Hospital or any other hospital in the middle of

[The Taoiseach.]

the night and do what he suggests. There are local managers in each hospital who know who will leave the service by the end of the month and they will make arrangements with the HSE, working with staff and the unions, to see to it that cover is provided.

The has Minister stated it may be necessary to delay some elective surgery cases. That may well be the case. There has been a 10% increase in general admissions to hospitals. This may well be because of the change in the weather or respiratory problems in older people. As the Deputy is aware, the numbers fluctuate from time to time, depending on what the issue might be, but I want him to understand it is virtually impossible to know what situation might apply in an individual hospital at any one time. The important thing we need to do is to manage the system in the best interests of patients. That is why there is a need for very clear lines of command and responses from the Department of Health, the HSE, regional directors and hospital managers who have responsibility at the end of the line for their hospital. This takes into account the co-operation of staff and trade unions in order that patients who need attention will receive it. That is why there will be a continuous focus and intensity on the part of all of the teams between here and the end of the month in order that there will not be the crisis or catastrophe that some predict. We are all interested in matters of health, which are about patient care and patients receiving attention.

It is not possible to do what the Deputy says, given the extent of the reduction in numbers, but it is possible to see the benefits of having very strong primary care and community care systems. In Deputy Dara Calleary's town I had the privilege of opening a modern primary care centre that takes many people away from the necessity of having to go to an accident and emergency department in the first place to have minor ailments treated. This eases the pressure on accident and emergency departments.

Deputy Dara Calleary: I did not see the Taoiseach there on Sunday.

Deputy Michael Ring: Was the Deputy there? He is a member of Fianna Fáil.

Deputy Dara Calleary: The Minister of State was not there either.

The Taoiseach: As a frequent visitor to observe what happens there, I am sure the Deputy is well aware that many of the patients do not need to go to an accident and emergency department with minor ailments in the first place and could be treated in a primary care centre, the provision of which we support strongly.

Ceisteanna — Questions (Resumed)

Appointments to State Boards

1. **Deputy Micheál Martin** asked the Taoiseach if there have been any board appointments from his office in the recent past; and if he will make a statement on the matter. [1939/12]

2. **Deputy Joe Higgins** asked the Taoiseach if there have been any board appointments arising from his office recently; and if he will make a statement on the matter. [3680/12]

3. **Deputy Gerry Adams** asked the Taoiseach the board appointments from his office that have been made in the recent past; and if he will make a statement on the matter. [6470/12]

The Taoiseach: I propose to take Questions Nos. 1 to 3, inclusive, together.

Details of the appointments I have made since coming into office on 9 March 2011 are set out in a table I am circulating in the Official Report. The National Economic and Social Development Office, NESDO, is the only State agency under the aegis of the Taoiseach's Department. It was established in 2006 and is the body corporate for the National Economic and Social Council, NESC. NESDO's membership, as set out in the Act, consists of the chairperson and deputy chairperson of the NESC. The membership of the NESC, as set out in the Act, consists of a chairperson, deputy chairperson, members appointed on the basis of nominations received from representatives of the ICTU, business and employers' interests, farming and agricultural interests, the environmental sector and the community and voluntary sector, in addition to a number of public servants and independent experts. There are 34 members in the NESC. From time to time the Taoiseach appoints nominees and members to fill vacancies arising from changes in nominations or on the retirement of public servants.

The table provides details of all appointments made by me to the National Economic and Social Council since 9 March 2011. These are the only board appointments I have made since coming into office.

Name	Organisation	Date of Appointment
Prof. Edgar Morgenroth,	Associate Research Professor, Economic and Social Research Institute	June 2011
Prof. John McHale,	Economist, National University of Ireland, Galway	June 2011
Prof. Mary Daly,	Department of Sociology, Social Policy and Social Work, Queen's University Belfast	June 2011
Prof. Anna Davis,	Department of Geography, Trinity College Dublin	June 2011
Prof. Seán Ó Riain,	Department of Sociology, National University of Ireland, Maynooth	June 2011
Dr. Michael O'Sullivan,	Head of UK Research and Global Asset Allocation, Credit Suisse, London	June 2011
Ms Mary Walsh,	Chartered Accountant	June 2011
Dr. Michelle Morris,	Senior Lecturer, School of Applied Social Science, University College Dublin.	July 2011
Martin Fraser, Chairperson of NESC	Secretary General, Department of the Taoiseach	August 2011
Shay Cody	IMPACT	September 2011
John Murphy	Secretary General, Department of Jobs, Enterprise and Innovation	November 2011
John Shaw, Deputy Chairperson of NESC	Assistant Secretary, Department of the Taoiseach	January 2012

Deputy Micheál Martin: Is the Taoiseach made aware of or consulted on appointments made by each Department? Does he have an oversight role in ensuring a gender balance on State boards? What degree of expertise is required to function on State boards?

In the programme for Government the Government committed to amending the rules to ensure no former public servant, including political appointees, or a Minister could work in any area of the private sector which might involve a potential conflict until at least two years had elapsed. Will the Taoiseach update the House on this commitment in terms of State board appointments?

The Taoiseach: I am very conscious of the requirement to maintain a gender balance and I try to meet it in the strongest way possible. I am glad to say a number of very competent and influential persons have been appointed across a range of boards.

[The Taoiseach.]

In so far as the question relates to my office, many of the appointees, as the Deputy is aware, are nominees of organisations. They are not solely from the list of nominations that might come from my Department. I cannot give the Deputy details from the brief to answer the question he has raised about people working in the private sector within two years of leaving State appointments, but I will check the position and get back to him.

Deputy Micheál Martin: It is a commitment made in the programme for Government.

The Taoiseach: Yes.

Deputy Micheál Martin: Is there an update and is the Government progressing the commitment?

The Taoiseach: I will update the Deputy on the position.

Deputy Joe Higgins: For decades the system of appointments to State boards by the Government has been discredited because of the array of political hacks of the parties in power promoted to boards as a reward for service to their parties. The Government promised many changes in respect of this and other matters, but is it not the case that, apart from a few cosmetic changes, it has not changed the system fundamentally? Does the Taoiseach agree that the representation of those sections of society especially affected by the work of particular boards should have a democratic structure, thereby providing real expertise and knowledge, instead of continuing in a disguised fashion the old discredited crony system?

The Taoiseach: I have set out the position on a number of occasions. The new arrangements provide that on their websites Departments have to invite expressions of interest from the public in vacancies on the boards or bodies under their aegis. Ministers are not necessarily confined to those who make expressions of interest, but they must be satisfied that the people concerned have relevant qualifications. The Government has also decided that those proposed for appointment as chairpersons of State boards have to go before Oireachtas committees to discuss what it is that they have to offer to the particular board or committee to which they are being appointed. This has been a success to date and quite a number have been before committees.

The question relates to the body under the aegis of my Department. There are representatives from IMPACT, SIPTU, IBEC, the CIF, Chambers Ireland, ICOS, the IFA, Macra na Feirme, the ICMSA, Social Justice Ireland, the INOU, the Society of St. Vincent de Paul, NYCI, Friends of the Earth, the Environmental Pillar of Social Partnership and Departments such as the Departments of Finance, Jobs, Enterprise and Innovation, the Environment, Community and Local Government and Education and Skills. There are also independent members from the ESRI, NUIG, Queen's University, Belfast, Trinity College, Dublin, Maynooth, Credit Suisse London, UCD, as well as a chartered accountant.

This group includes a mixture of very competent people, both men and women. In so far as their responsibilities go, under the aegis of my Department, they are doing a very good job.

Deputy Gerry Adams: Athruithe polaitiúla agus athruithe tríd an gcóras a dúirt Fine Gael a bheadh ann faoi Rialtas Nua. Dúirt an Taoiseach é sin i rith an toghcháin beagnach bliain ó shin, ach ní sin atá ag tarlú nó atáá dhéanamh ag an Rialtas. Despite what the Taoiseach said in reply to an Teachta Joe Higgins, the fact is that vacancies for all paid positions on State boards are not being advertised on the website of the Public Appointments Service or the relevant Department. The Taoiseach promised change in six months, but 12 months later there

has been little change on this issue. In the case of the Department of Justice and Equality, none of the appointments to eight different boards was advertised. The chair of the Equality Authority was reappointed without being interviewed by a committee. Likewise, appointments to IDA Ireland, the National Consumer Agency and An Post have ignored the new procedures.

Why have so many Departments ignored the Taoiseach's stated commitment to introduce new procedures for appointments to State boards? Instead we have seen the appointment of a flock of past or current party members, strategists and donors of the Fine Gael and Labour parties. Will the Taoiseach clarify whether he decided consciously to do a U-turn on yet another election commitment or does he intend, even a year later, to introduce some process that will change the way these appointments are made in the future? If, as he said, he is keeping a report card on Ministers, why are these Departments ignoring his commitment on this issue?

The Taoiseach: The appointments to the National Economic and Social Council, NESC, were made by me following very careful consideration of the necessary skills, knowledge and expertise relevant to the functions of the council. In this particular case, I appoint members specifically on the basis of nominations from business and employer interests, the Irish Congress of Trade Unions, farming and agricultural interests, the community and voluntary sector and the environmental sector. It would not be appropriate to advertise these appointments because they are taken by the nominees of those sectors. I also appoint up to six public servants to the council, of whom at least one shall represent the Taoiseach and one shall represent the Minister for Finance. Historically, the chairperson and deputy chairperson posts are filled from the Department at Secretary General and assistant secretary level. Those appointments represent the relevant Departments to ensure the council's work is integrated. A number of independents were appointed to the NESC in June and July of last year, all of them very academically qualified people. These independent nominations were not advertised as I was happy with the quality of the nominees who had already been compiled in the Department, mainly from the academic sector. It could be argued that these appointments might perhaps be advertised on the next occasion.

The Department of Transport, Tourism and Sport advertised on its website seeking expressions of interests for appointments as chairperson of the boards of CIE companies and the Railway Procurement Agency and to the boards of transport, tourism and sport agencies. The Department of Communications, Energy and Natural Resources advertised on its website before the end of 2011 in regard to vacancies that arose on the boards of bodies under its responsibility. These included An Post, Bord na Móna and Ordnance Survey Ireland. The Department of Arts, Heritage and the Gaeltacht advertised for board members for the National Concert Hall, the Irish Museum of Modern Art and the Arts Council. The Department of Finance sought expressions of interest for appointments to the board of directors of the recapitalised banks. The Department of Agriculture, Food and the Marine advertised for vacancies in respect of Bord Iascaigh Mhara, Coillte and the Irish National Stud. The Department of Children and Youth Affairs advertised for vacancies in the Family Support Agency and the National Educational Welfare Board. The Department of Health advertised for vacancies on the Voluntary Health Insurance Board. The Department of Social Protection advertised in regard to the Citizens Information Board.

A number of those appointed to chair State boards have attended before Oireachtas committees to explain the particular expertise they bring to those boards. That innovation has been welcomed as being in everyone's interest. It ensures the public and the members of the committees can see what the appointed chairpersons bring to their work.

Deputy Gerry Adams: I have indicated to the Taoiseach on previous occasions my view that the committees do not have any real power and should instead be modelled on those in operation on Capitol Hill. Putting that to one side, it is good that the posts the Taoiseach named have been advertised. However, I asked him specifically about the eight different boards within the Department of Justice and Equality in respect of which none of the appointments was advertised. I say this with due deference to the appointees who may well be the best people for the job. The fact remains, however, that the chair of the Equality Authority was reappointed without being interviewed by a committee. Appointments to IDA Ireland, the National Consumer Agency and others have ignored the new procedures. If this were a report card, how would the Taoiseach mark the Minister for Justice and Equality?

The Taoiseach: Deputy Gerry Adams's Question No. 3 asks about the board appointments from my office that were made in the recent past and that I make a statement on the matter. In response, I pointed out the appointments that were made by me in the recent past and made a statement on the matter. That is the Deputy's question, to which I provided the answer. In respect of the bilateral meetings I have had with each Minister in recent weeks, all are completed with the exception of two. At the end of March, after being 12 months in office, I will present a progress report on the basis of the accomplishments and work undertaken by each Minister in so far as the programme for Government is concerned. This will allow Members to see the work that is under way, the work that has been completed, the work that cannot be completed and the work that is a priority for the coming period. I am sure Deputy Adams will be very interested in that.

Deputy Micheál Martin: I accept that my question was specific, but I asked as a supplementary whether the Taoiseach was informed in regard to appointments to other State boards. In other words, was he kept in the loop and was his affirmation or agreement sought in regard to appointments to boards across the system? A lot was promised but very little has been delivered in terms of changing the way State boards are appointed. That is essentially what has emanated from this debate. The role of the committees is extremely limited and amounts to interviewing the chairperson after he or she has been appointed. The committee in question has no role in appointing or not appointing a particular person; that remains a matter for the Minister.

Is the Taoiseach satisfied with the way State appointments are being made? Does he believe they correspond with what was committed to by him and his party in advance of the general election?

The Taoiseach: As Deputy Martin will be aware from his own experience, it is difficult enough to find people who want to put themselves in the public eye by chairing or participating in State boards. This is because of the pressure they may come under from one source or another. By and large, I am reasonably happy with the way this process has operated. The practice of having chairpersons attend before an Oireachtas committee is an innovation which is in the public interest. The quality of those appointed, in terms of their competence to do the job, has by and large been very good. They are getting on with their work.

Ministers apprise not only me but also the Cabinet of persons to be appointed as chairs of State boards. Obviously, not all of the appointments to all boards come before Cabinet, as the Deputy is well aware. The Cabinet is informed of senior appointments and the filling of positions of responsibility, as is normal procedure.

Deputy Micheál Martin: One of the more radical initiatives in this area, which was introduced by the former Minister for Communications, Energy and Natural Resources, Eamon Ryan, was the giving of power and authority to committees to make appointments to State boards, in

particular in the area of broadcasting. That initiative brought about real change in terms of committees having a role in making appointments to the commission and so on. It was a real innovation. We have not had any initiatives of that type from this Government. There has been no fundamental or substantive change in this area by Government, in particular when one measures what has been done against what was promised.

The Taoiseach: In a number of cases, appointments recommended by the committee were from a list given to it by the Minister. These are matters that can be reflected on. We would like to reach a situation whereby the people appointed to these boards are competent people with a measure of experience which can assist a board in completing its body of work in a professional and competent manner. I believe the appointments made to date have measured up in terms of competence and experience and that those appointed are doing a good job. What is the best system is always debatable. One can have in place what one believes to be a perfect system but an appointee might not be the type of person one requires to do a job. The Deputy will be aware that some of the bodies and State boards concerned have particular decisions to make, some of which will be difficult, and in that regard will require people who are decisive and focused on Government priorities and how to deliver in the public interest. I have taken note of what Deputy Martin said in regard to the initiative of the former Minister, Eamon Ryan.

Deputy Shane Ross: The most important and sensitive appointments which the Taoiseach and Government will have to make in this particular sphere are appointments to the boards of banks. As I understand it, in terms of the procedure which the Taoiseach described, public appointments to the boards of banks were advertised eight months ago, in respect of which the banks received approximately 500 applications. A large majority of those who applied have already been told they will not be getting the job, which is perfectly reasonable if proper procedure is being followed. Why, given the length of time this procedure has been going on, have no appointments been made at this stage?

The Taoiseach: To where?

Deputy Shane Ross: No appointments have been made to the banks despite the advertising going on in the public arena and the many applications already refused.

The Taoiseach: The Minister for Finance is considering all these matters. The Deputy will be aware that he responded to Deputy Adams in January in respect of appointments made by him as Minister and the Department under the new procedures. On 7 July 2011, the Minister announced the appointments to the independent fiscal advisory council and pointed out that the council is part of a wider agenda of reform of Ireland's budgetary architecture.

I do not have to hand up-to-date information in regard to appointments to banks. However, the Minister outlined that there had been two appointments to the board of the Irish Bank Resolution Corporation, IBRC. He also pointed out that owing to the specific skills required given the nature of the business model that applies at IBRC, he would not be proceeding with public advertisement of the vacancies. He further pointed out that for the sake of completeness, he had in 2011 formed a panel of suitably qualified people for possible appointment or nomination to the boards of particular banks following a public expression of interest process and that the Bank of Ireland had recently appointed an appointee from this panel to its board. I must stress that these appointments were in areas where a specific expertise was required by the boards concerned.

[The Taoiseach.]

If the Deputy wishes to table a parliamentary question on the matter to the Minister for Finance, he will provide him with an update on the evolving process in so far as the banks and boards of banks are concerned.

Official Engagements

4. **Deputy Micheál Martin** asked the Taoiseach if he discussed with David Cameron the banking regulation in general and specifically the City of London and IFSC competitiveness; and if he will make a statement on the matter. [3292/12]

5. **Deputy Gerry Adams** asked the Taoiseach if he raised the issue of the Dublin and Monaghan bombings with the British Prime Minister David Cameron at his meeting of 12 January 2012. [3297/12]

6. **Deputy Gerry Adams** asked the Taoiseach if he raised the issue of the murder of human rights solicitor Pat Finucane during his meeting with the British Prime Minister David Cameron on 12 January 2012. [3298/12]

7. **Deputy Gerry Adams** asked the Taoiseach if he will provide a report on his attendance at the British Irish Council meeting on Friday 13 January 2012. [3682/12]

8. **Deputy Micheál Martin** asked the Taoiseach the issues that were discussed and the outcomes of the most recent British Irish Council; and if he will make a statement on the matter. [6182/12]

9. **Deputy Richard Boyd Barrett** asked the Taoiseach if he discussed with Mr David Cameron the issue of the proposed financial transactions tax and the possible implications for the City of London and the IFSC; and if he will make a statement on the matter. [6590/12]

The Taoiseach: I propose to take Questions Nos. 4 to 9, inclusive, together.

As I stated in the House a few weeks ago, I met the British Prime Minister, David Cameron, on 12 January in London, at which time we discussed a range of matters of mutual interest to both our countries and to our bilateral relationship, including developments in the eurozone and Northern Ireland.

In our discussion on developments within the European Union and the eurozone crisis, we discussed the evolving situation with the draft intergovernmental treaty agreement, which, as the House knows, was agreed last week by 25 EU member states, with the Czech Republic and Britain deciding to stay outside.

Prime Minister Cameron and I also discussed the idea of a financial transaction tax. I set out the Government's position that a financial transaction tax in the eurozone would adversely impact on the competitiveness of the IFSC in Dublin relative to the City of London. Such a tax should apply globally.

We did not get into a discussion on the details of the current proposals on banking regulation. As Deputies know, this matter is currently being dealt with by finance ministers at ECOFIN and the European Commission has proposed a wide range of regulatory reforms to the financial sector. One of the key roles of ECOFIN is to adopt such proposals in co-decision with the European Parliament.

As I have previously stated in the House, during our meeting the Prime Minister and I discussed recent developments in Northern Ireland. I also raised the matter of legacy issues,

including Pat Finucane and the Ballymurphy and Dublin-Monaghan bombings. Deputies will be aware the Finucane family obtained leave for their judicial review process some weeks ago in Belfast. That hearing is expected to take place in May.

I hosted the 17th summit meeting of the British-Irish Council, BIC, in Dublin Castle on Friday, 13 January. It was an excellent meeting which provided an opportunity for BIC member Administrations to discuss current economic developments, with a particular focus on the many challenges we all face from youth unemployment. We agreed to examine further the effectiveness in our respective jurisdictions of initiatives for youth unemployment and to report on this at the next summit of the British-Irish Council, which will be hosted by the Scottish First Minister, Alex Salmond, in June. We also had a discussion on the misuse of drugs, focusing particularly on rehabilitation. The misuse of drugs workstream is one of 11 workstreams under the British-Irish Council and is chaired by Ireland. The discussion at the summit on the misuse of drugs was led by the Minister of State, Deputy Róisín Shortall.

We also welcomed the establishment of the standing secretariat of the British-Irish Council in Edinburgh, with the support of the Scottish Government.

Deputy Micheál Martin: I regret that Question No. 4 has been grouped with Questions Nos. 5 to 9, inclusive. Question No. 4 deals specifically with the issue of the IFSC transaction tax and the City of London, Question No. 6 deals specifically with the Pat Finucane issue and Questions Nos. 7 and 8 deal with the British-Irish Council. All are distinct and separate issues. In this regard, I ask for the Leas-Cheann Comhairle's forbearance——

The Taoiseach: I dealt separately with each issue in my response.

Deputy Micheál Martin: Life is as it is. I ask that I be allowed to respond first to the Taoiseach's response to Question No. 4, following which I will come back on Question No. 8 in regard to the British-Irish Council.

The Taoiseach: No problem.

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

Deputy Richard Boyd Barrett: Perhaps we could also deal at this point with Question No. 9.

Deputy Micheál Martin: Yes, Question No. 9 deals with the same issue as Question No. 4. As regards the Taoiseach's discussions with the British Prime Minister on the financial transaction tax, it appears the momentum behind this is well under way, in particular given the announcements made by President Sarkozy. However, it may be that this will only last as long as the election campaign in France. We will have to wait and see what happens in that regard. I would like confirmation and clarification from the Taoiseach as to the Government's position in this regard. This is not only about Ireland, Dublin and the City of London. I would argue it is about European and eurozone competitiveness with the rest of the world. It is important that Ireland should adopt a joint approach with the British Government on the overall issue of a financial transaction tax and a European approach regarding European competitiveness *vis-à-vis* Asia or the so-called BRIC countries or in respect of what is happening globally. The world is much more mobile today than it was.

I refer to a matter of greater importance. A statement was made in December that the common tax base was to be put on the agenda in the context of enhanced co-operation. The Taoiseach mentioned earlier that he intended to discuss this with Prime Minister Cameron. As the Taoiseach is aware, the common consolidated corporate tax base is an extremely serious issue. The Department of Finance has commissioned research that indicated this proposal

[Deputy Micheál Martin.]

would have a significant impact on Ireland's gross domestic product, GDP, and would result in a reduction by a number of percentage points in Ireland's GDP. Did the Taoiseach discuss this matter in detail with Prime Minister Cameron? Did they agree on a joint approach in respect of the evolution of Europe's position on a common consolidated corporate tax base?

The corporation tax rate is central to Ireland and the International Financial Services Centre, IFSC, provides 33,000 jobs on foot of a very far-seeing initiative by a former Fianna Fáil-led Government in the 1980s. More than 33,000 people work there at present and it is of crucial importance to Ireland. Both a financial transaction tax and the common consolidated corporate tax base would be harmful, as would any attempt to undermine Ireland's corporation tax rate on foreign direct investment in general and in particular in respect of the IFSC. In this context and in the context of the fiscal treaty, the Taoiseach is aware that before the second Lisbon treaty referendum, the then Government secured a protocol that safeguarded Ireland's corporation tax rate and which entailed all the other European states signing up to a commitment not to undermine or to make any attempt to affect Ireland's corporation tax rate. Has a similar agreement or protocol been attached to the European Union fiscal treaty? Alternatively, is there an understanding that as this intergovernmental approach develops, there will not be moves to undermine Ireland's position in respect of corporation tax?

The Taoiseach: The Deputy raised a number of important questions. The common consolidated corporate tax base, CCCTB, is a subject of a paper prepared by the European Commission. Deputy Martin is aware the European Commission is the body responsible for the promotion and initiation of legislative measures within the European Union. As a member of the European Union, Ireland has agreed to engage in the discussions about this matter. I can inform the Deputy there is much resistance to that matter around the European table. It was not discussed in any shape or form or to any extent at the European Council meeting and was not the subject of a discussion between Prime Minister Cameron and me. However, a financial transaction tax was the subject of discussion between Prime Minister Cameron and me. Clearly, this is an issue Deputy Martin rightly identifies as being broader than simply being between Dublin and London. It also is of serious import to people in Frankfurt, Amsterdam and Paris. I note the comment of the French President that he intends to introduce unilaterally a financial transaction tax in France. While that of course is his right if he wishes to do so, it is the view of the Government that were a financial tax to apply, it should apply on a global basis. One cannot have differences of impact between, for instance, the cities of London and Dublin.

Deputy Martin is correct when he stated that 32,000 people are directly employed in the International Financial Services Centre in Dublin, which is the location of more than 5,000 firms. Moreover, substantial indirect employment also is generated and the sector contributes €2.1 billion in corporate and payroll taxes to the Irish Exchequer. International financial services account for 10% of multinational employment and represent an estimated 7.4% of GDP. In addition, 5% of European Union international financial services activity is carried out from Ireland. The fundamental goal of public policy in respect of the IFSC is to develop an international financial services industry in Ireland that is built on sustainable, responsible and internationally respected foundations to maximise both the number of jobs and the quality of the employment, as well as the future sustainability and growth prospects of the industry. The Government believes it is necessary to continue to adopt, articulate and implement a clear vision for the future of the IFSC and to demonstrate Ireland's commitment to promotion and growth there.

The Deputy also will be aware that I announced a new IFSC strategy for the next five years, which came from the industry itself. It reckons it is possible to achieve 10,000 net new jobs in

that period and the strategy sets out the key drivers in this regard. Its foundations are a tax system and tax framework that are competitive and internationally respected, as well as a regulatory regime that supports responsible business operations and ensures effective oversight and control. As Members are aware, the oversight of that and the clearing house in respect of the IFSC and all these areas are vested in the Department of the Taoiseach. The strategy I launched recognises and fully supports the critical importance of a credible, responsible and proportionate regulatory system, the capacity and reputation of which will provide in itself a source of competitive advantage for this jurisdiction, attracting reputable, responsible and sustainable financial services activity. I have met numbers of representatives of the firms in question and they always have proposals and observations to make on the manner in which the IFSC is structured and run and I appreciate that. The sector is convinced that given the system that applies in Ireland, it will be possible to achieve 10,000 new net jobs in this industry over the next five years in the green area and in the Islamic finance sector, which is growing rapidly. From this perspective, the Government obviously understands its absolute importance.

I can inform Deputy Martin there was no discussion, good bad or indifferent, on the financial transaction tax or the corporate rate of tax at any of the Council meetings. I discussed it specifically with the British Prime Minister, who is completely opposed to it unless it was to apply globally. While tax obviously is a national competence, universal endorsement is required if there are to be changes across the board. While individual countries may wish to take measures, they cannot apply in an overall universal sense. It is a very important industry for Ireland and on foot of the publication of the strategy, all concerned are anxious to drive it on. I make the point that a chief executive from the United States observed to me the reason that organisation shifted its primary financial products to Ireland was because of the passion — that was the word used — of its young people to do the job and to move on to evolving new financial instruments and products, which are of enormous interest to Members in respect of the creation of jobs.

Deputy Micheál Martin: It disturbs me there was no discussion on the common consolidated corporate tax base, CCCTB, with the British Prime Minister because Ireland must work much more proactively on this serious issue. Its potential impact on multinationals coming into Ireland and investing further is very serious and would be negative. The Department of Finance commissioned research that makes this point. However, Ireland appears to be adopting a silent approach in respect of corporation tax and the CCCTB.

The Taoiseach: No, we are not.

Deputy Micheál Martin: We have gone along with Europe on the basis that we had better be co-operative and so on, whereas up to approximately two years ago, Ireland's position was to oppose the CCCTB as a policy and as an initiative. There has been a change, whereby Ireland now is engaging in discussions. In addition, I refer to French statements on corporation tax and note their recent pronouncements on this matter have been clear enough as to the future direction they seek in this regard. Ireland should be clear that the European Union fiscal treaty does not represent a threat to its corporate tax rate. Moreover, people must be assured in respect of the enhanced co-operation approach, which is in line with the intergovernmentalism that is being driven by the German and French Governments in the context of this treaty. It must be emphasised that this does not pose a threat to Ireland's corporate tax structure. People are not clear about the matter to which I refer, particularly in light of the various pronouncements that have been made in respect of it. We have not adequately asserted how central to our economic regeneration are our corporate tax structures.

The Taoiseach: We are asserting that fact and we have made our position very clear. Since the day after I was appointed as Taoiseach by this House, I have resisted a great deal of pressure in the context of changes to the corporate tax rate. That rate will not change and will remain at 12.5% — 11.9% effective — across the spectrum. That certainty and decisiveness and the position I have adopted have been responsible, in part, for the restoration of the reputation of the country. There is not any confusion about this matter, neither is there a lack of clarity in respect of it. People are absolutely clear on what is our corporate tax rate and it will not be moving either way.

My position on the CCCTB has not changed. The fact that it is the right of the Commission to initiate legislation and promote proposals for such legislation does not mean that by participating in discussions on these one must change one's position in respect of them. Far from this matter being on the back burner, when the relevant discussions are held in the future we will participate in them. The issue of corporate tax levels was not discussed at the European Council meeting. The fiscal treaty has no bearing on that matter. We are very clear on that point. This is an issue upon which Ireland has not equivocated in any way. We have been very clear and decisive. The announcements made by a number of foreign investors in the country give credence to that. The latter are very clear with regard to what is on offer when they come here.

I reiterate that when I visited the Deputy's city in recent days, it was made perfectly clear to me that there are 800 vacancies in the Cork region for IT personnel. We must identify where the changes are occurring and consider how we can take steps, on behalf of our young population, to ensure we can meet the demand which exists. Prime Minister Cameron and I were extremely clear with each other in respect of the financial transaction tax. I can testify that equally strong views — which would align with my own — were expressed by other leaders present at the European Council meeting.

Deputy Gerry Adams: I thank the Taoiseach for raising the issues of the Ballymurphy killings, the Dublin-Monaghan bombings and the killing of Pat Finucane with the British Prime Minister, Mr. Cameron. I would like to recap the position. Sunday next will be the 23rd anniversary of the killing of Pat Finucane. His family have been campaigning since his death occurred. Sinn Féin is totally against any hierarchy of victims and has argued for an independent international commission to consider all of these cases and deal with the various victims and those who were hurt in the course of the conflict. In this instance, however, the British Government has acknowledged that there was collusion. Every member of the squad which killed Pat Finucane — an officer of the court and a human rights lawyer — was either a member of the British Army or an RUC special branch agent. There is no doubt at all about that.

The British Administration is currently in breach of the Weston Park agreement, an accord between the two Governments. The Dublin-Monaghan bombings occurred almost 40 years ago and successive British Governments refused to deal with any of the inquiries or investigations into them. In the case of the Ballymurphy killings, there is no doubt the British paratroop regiment killed all of the citizens involved and then went on to Derry to kill more on Bloody Sunday. Its members then went to Belfast and killed further civilians on the Shankill Road, on Springhill Avenue and in other parts of the city.

The Government must develop a strategy for dealing with these matters. It is a deeply traumatising obstacle to the furtherance of the peace process if these citizens are left outside it and if the British Government, which is clearly responsible for the killings to which I refer, is not prepared to give the families involved their entitlements. I ask the Taoiseach to develop a strategy such as that to which I refer. He stated at one point that he would raise this matter with the relevant people in the USA and seek their support. It is clear that Prime Minister Cameron has no responsibility for events which took place almost 40 years ago and others

which occurred 23 years ago. However, the fact that he will not deal with the issue poisons the relationship between the British Government and a new, changing Ireland which is putting war behind it. I appeal to the Taoiseach to come forward with a strategy.

Justice for the Forgotten is a group which comprises the families of the victims of the Dublin-Monaghan bombings and which is not being provided with funding. We refer to victims, we deplore what occurred and we try to ensure that events of this nature will never happen again. Surely, therefore, the group to which I refer should be at least given the minimum amount of funding it requires. Sinn Féin Teachtaí Dála from Dublin, Deputy Ó Caoláin and I have raised this matter a dozen times in the House. I ask the Taoiseach to provide a commitment that the minimum amount of money this group requires to continue its work will be given to it by the Government.

The Taoiseach: Deputy Adams and I can agree on this matter. Before he became a Member, the House agreed an all-party motion which was very clear in calling for a public inquiry into the murder of Pat Finucane. That is accepted by everyone in the Dáil. The British Government has clearly admitted that collusion took place in this instance. Prime Minister Cameron was very forthright, strong and correct in respect of the Blood Sunday inquiry. I have a difference of opinion with him in respect of the matter to which the Deputy refers. As a result of what Judge Cory stated and on foot of the agreement between both Governments which was made at Weston Park, I am of the view that holding a public inquiry would be the correct route to take. I am still of that opinion.

I cannot direct any other government. However, I raised this matter with the Prime Minister and I will continue to raise it with him. I am aware that my meeting with him took place on the day before the Finucane family was granted a judicial review which, I understand, is to be held in May. I do not know the position with regard what has happened in respect of the Queen's Counsel de Silva being appointed or any other related matters. We remain of the view that the best thing to do would have been to hold a public inquiry, specifically in light of the Weston Park agreement and because Judge Cory recommended that one should take place. I said that to Geraldine Finucane directly when I met her and her family in Belfast on the occasion of presenting an award to her. I undertook to raise this matter in the United States and I will do so when I have the opportunity to meet representatives over there.

As stated in the House on many occasions, I do not believe in any hierarchy of victims. Regardless of which side they were on, those who were shot, murdered or died as a result of the Troubles were lost by their families and loved ones. In the case of Pat Finucane, there was an agreement between the two Government to the effect that whatever Judge Cory recommended would happen. In this jurisdiction, the Smithwick tribunal was established as a result of the agreement to which I refer and on foot of the judge's recommendation. It continues to be my preference that this is what should happen in the case of Pat Finucane and I informed the Prime Minister directly of that fact. In light of what Mr. Cameron did in respect of the inquiry into the Bloody Sunday killings in Derry, I made sure to make that point very clear to him on behalf of all the representatives here and of the people of our country.

Deputy Gerry Adams: I thank the Taoiseach for raising these issues with the British Prime Minister. My colleagues and I were involved in very close negotiations with the British Government for at least ten years in a very open way. I know how it works and what it takes to get it to come to conclusions. The decision to establish the Saville inquiry after decades of campaigning by the families and others came to be made not least because some very good work was done on the ground assisted by the Irish Government at the time. Martin McGuinness and

[Deputy Gerry Adams.]

I were with Mr. Tony Blair in Chequers and he had a report; he left us to read it and it changed his mind.

It is not enough to raise the issue with the British Prime Minister. It is not enough to state there is a difference of opinion. It is entirely within the grasp of the Government to bring forward such a report on Pat Finucane's killing, the Dublin and Monaghan bombings or what happened in Ballymurphy and present it to Mr. Cameron. It is entirely within the width of the Government to enlist its diplomatic and consular services to raise this issue globally. I recommend this approach and know how it works.

I also know how deeply wounded all the people concerned are. I lost family members also. I hear the Taoiseach railing against IRA killings, as he is perfectly and fully entitled to do. I regret that there was a war at any time in the history of the island. We need to deal with these legacy issues, the issues which are subject to acknowledgement and admissions by the British Government that it was involved — in the case of Pat Finucane there is an agreement between the two Governments. I recommend this approach and ask the Taoiseach to consider making a solemn declaration to the Dáil that he will do everything possible in his power to seek closure for the families.

The Taoiseach: It is very important to stress this point. I am not sure on the report about which the Deputy spoke and about what he gave to Mr. Tony Blair.

Deputy Gerry Adams: I did not give it. The Irish Government helped the people in Derry.

The Taoiseach: All of the facts, in so far as we know them, lead to the inescapable conclusion that there should be a public inquiry. I do not say this just as a public representative or as Taoiseach. The agreement between the two Governments at Weston Park was that whatever Judge Cory recommended would be followed through. This was very clear and straight. Judge Cory recommended that there be a public inquiry into the murder of Pat Finucane. We know about collusion which has been acknowledged.

The British Government decided not to hold a public inquiry but to appoint a Queen's Counsel to go through all of the documentation — all 1 million pages of it. The Finucane family was very aggrieved by this because their clear understanding was that there was agreement between the two Governments that Judge Cory's recommendation would be followed through. They were upset, as they told me to my face. We support the holding of a public inquiry.

For my part, I will follow through on my conviction. I do not know what will happen in terms of the judicial review which will be held in May, but I will continue to raise the matter on each and every occasion on which I have an opportunity to do so with the British Prime Minister. I cannot speak about what will happen at the judicial review in May, as I am not aware of what work is being undertaken by the Queen's Counsel, but my view, to put it simply, is that the Weston Park agreement should be honoured, that the recommendation of Judge Cory should be followed through, and that there should be a public inquiry into the murder of Pat Finucane. I will continue to raise this issue on each and every opportunity on which I have to do so.

Deputy Richard Boyd Barrett: I want to return to the financial transactions tax. This is one of the instances in which people from the United Left Alliance have a very different view from the political establishment on both sides of the House. I am amazed that in a situation where Europe faces its gravest economic crisis since the 1930s and this country faces its gravest economic crisis in its history — we all know the crisis was caused by the anarchic casino-like behaviour of the financial markets — the strategy of the Government, with Mr. David Cameron's

Government, is to block a tiny measure to regulate and rein in these same financial markets that have wrecked the European economy. The excuse that we cannot do it unless everybody else in the world does it also is pathetic because it is a recipe for never doing it, as the Taoiseach and Mr. Cameron well know.

I find it amazing that the Taoiseach, like the previous Government, has rammed poisonous destructive austerity down the throats of the people, ordinary citizens who bear no responsibility for the economic crisis, and says he is being made do it by the European Union and the troika. However, when one half decent proposal comes from the European Union, that we should put a tiny tax on the crazed financial markets that caused the crisis, we cannot do it because it is too difficult and would wreck the economy. We can wreck the lives of working people, force hundreds of thousands into mass unemployment, send tens of thousands abroad by way of forced emigration, but we cannot put a tiny tax on the financial institutions which wrecked the economy, as well as the entire European economy.

How will we ever have a financial transactions tax if this is the attitude? The previous Government which bankrupted the country made similar arguments about the property sector; it called on us to look at the employment created in property development and the stamp duty received and stated it could not possibly do anything to dampen the sector because of the economy's dependency on it. It seems the Taoiseach wants to do the same with the financial services sector. This is very shortsighted. Any short-term advantage the Taoiseach or Mr. Cameron may think they will get from——

Deputy Emmet Stagg: On a point of order——

Deputy Richard Boyd Barrett: All other speakers were allowed to continue and I am nearly finished.

An Leas-Cheann Comhairle: Will the Deputy, please, conclude?

Deputy Richard Boyd Barrett: I put it to the Taoiseach and ask him to respond——

Deputy Emmet Stagg: On a point of order——

An Leas-Cheann Comhairle: What is the point of order?

Deputy Emmet Stagg: The Order of Business was supposed to start at 4.36 p.m.

An Leas-Cheann Comhairle: We have a few minutes left.

Deputy Emmet Stagg: I beg your pardon?

Deputy Richard Boyd Barrett: Leaders' Questions ran over time.

An Leas-Cheann Comhairle: There is an hour for Taoiseach's questions.

Deputy Emmet Stagg: It is now 4.50 p.m.

An Leas-Cheann Comhairle: We are only delaying matters.

Deputy Micheál Martin: I do not think Deputy Emmet Stagg should try to stifle debate, regardless of from where it comes.

An Leas-Cheann Comhairle: Will Deputy Richard Boyd Barrett, please, ask a question?

Deputy Richard Boyd Barrett: Is it not the case that any perceived short-term advantage — the Government has not given any statistics or figures to back up the assertion that jobs will be lost in the Irish financial services sector — by essentially blocking the imposition of a financial transactions tax on the financial markets in Europe will amount of a pyrrhic victory because it will make the position more volatile? It is inevitable there will be further shocks on the international financial markets and we will be hardest hit, along with Britain, because we will have failed to put a tax on the institutions and diversify and sustain the economy, which is what we desperately need to do, by getting some money back and investing it in economic, industrial and manufacturing activity that could provide jobs and a sustainable economic future instead of riding on the backs of the anarchic financial markets.

Deputy Bernard J. Durkan: On a point of order——

An Leas-Cheann Comhairle: What is the point of order?

Deputy Bernard J. Durkan: I am listening to a Second Stage speech. This is not the time for Second Stage speeches.

Deputy Mattie McGrath: Deputy Durkan is not too bad at doing that.

Deputy Bernard J. Durkan: We are dealing with questions to the Taoiseach.

Deputy Mattie McGrath: Is the Deputy trying to stifle debate?

Deputy Joe Higgins: He is entitled to ask questions.

(Interruptions).

An Leas-Cheann Comhairle: Order. I call the Taoiseach.

Deputy Michael Healy-Rae: He is entitled to ask it.

Deputy Micheál Martin: We live in a democracy.

(Interruptions).

Deputy Micheál Martin: No. I might disagree with people but I respect their right to——

An Leas-Cheann Comhairle: Can we have order for the Taoiseach? The Deputy asked the question. This is the answer.

Deputy Joe Higgins: Sorry for putting you to the trouble of coming in, guys.

The Taoiseach: Deputy Boyd Barrett gets his weekly rush of excitement with the auld rant in a Second Stage speech.

Deputy Mattie McGrath: That is ridiculous.

Deputy Joe Higgins: We will write to you for the answers in the future.

The Taoiseach: An bhfuil an Teachta Mattie McGrath ag dul ag caint arís faoi séarachas?

Deputy Mattie McGrath: Tá sé sin uafásach.

The Taoiseach: Tá sé ag dul ag caint faoi chúrsaí séarachais.

Deputy Mattie McGrath: It is stifling debate.

The Taoiseach: The question is to ask the Taoiseach if he discussed with Mr. Cameron the issue of the proposed financial transaction tax and the possible implications for the City of London and the IFSC——

Deputy Richard Boyd Barrett: Yes.

The Taoiseach: ——and if he will make a statement on the matter. That was a question.

Deputy Richard Boyd Barrett: The Taoiseach responded to Deputy Martin——

The Taoiseach: It was not the subject of your speech.

Deputy Richard Boyd Barrett: ——and mine was a supplementary on his response to Deputy Martin.

The Taoiseach: The Deputy misunderstands the situation. I pointed out to Deputy Martin, in response to his valid question——

Deputy Richard Boyd Barrett: No one answered that question.

The Taoiseach: ——that President Sarkozy said that he intends to introduce——

Deputy Richard Boyd Barrett: That is because he agrees with the Taoiseach. That is why it is a valid question.

An Leas-Cheann Comhairle: Deputy——

The Taoiseach: The point I was making was that President Sarkozy said he intends to introduce a financial transaction tax unilaterally in France. The same applies to any other country that wishes to do so. We have no intention of introducing a unilateral financial transaction tax here. The Deputy's question was whether I discussed this——

Deputy Richard Boyd Barrett: Does the Taoiseach intend joining the rest of Europe in doing it?

An Leas-Cheann Comhairle: Deputy Boyd Barrett——

The Taoiseach: ——with Prime Minister Cameron. The answer is “yes”. Did I discuss the possible implications for the City of London and the IFSC? The answer is “yes”. As was pointed out here before the Deputy came in, there are 32,000 people working in the IFSC.

Deputy Richard Boyd Barrett: I was here.

The Taoiseach: The Deputy seems to think that all of these people should be run out of this country with the way he goes on about austerity programmes in his usual rant every week.

Deputy Bernard J. Durkan: Hear, hear.

The Taoiseach: That has neither relevance nor resonance in terms of people who are working and contributing to a €2.1 billion corporate tax payment to this country and payroll from the IFSC. The answer is “yes”. I did discuss this with the British Prime Minister and I made it clear to Deputy Martin that quite a number of other leaders around the table in Europe do not want

[The Taoiseach.]

to see a situation where unfairness in terms of competition or in terms of a financial transaction tax applies in one place——

Deputy Richard Boyd Barrett: So there will never be a financial transaction tax here.

The Taoiseach: ——and does not apply in another. The Deputy has a very different view: play for nothing, work for nothing and come in here and rant day after day. I am not sure that he ever did a day's work in his life.

Deputy Bernard J. Durkan: Hear, hear.

Deputy Richard Boyd Barrett: Wait until it goes back.

An Leas-Cheann Comhairle: That is the final question. I call the Taoiseach on the Order of Business.

Deputy Micheál Martin: A Cheann Comhairle——

An Leas-Cheann Comhairle: I am sorry, Deputy.

Deputy Micheál Martin: I was only going to commend you, a Leas-Cheann Comhairle, on the manner in which you chaired——

An Leas-Cheann Comhairle: There is no need. The Chair is independent.

The Taoiseach: The Deputy likes a bit of flexibility.

(Interruptions).

Deputy Micheál Martin: No. I like a bit of to and fro.

Order of Business

The Taoiseach: It is proposed to take No. 8, motion re proposed approval by Dáil Éireann of the Teaching Council Act 2001 (Amendment of Nominating Bodies) Order 2012, considered by the Joint Committee on Jobs, Social Protection and Education on 25 January 2012; No. 9, motion re proposed approval by Dáil Éireann for a directive of the European Parliament and of the Council on criminal sanctions for insider dealing and market manipulation, considered by the Joint Committee on Jobs, Social Protection and Education on 1 February 2012; No. 10, motion re proposed approval by Dáil Éireann of the terms of the agreement between the Government of Ireland and the Government of the United States of America on enhancing co-operation in preventing and combating serious crime, considered by the Select Committee on Justice, Defence and Equality on 31 January 2012; No. 11, motion re proposed approval by Dáil Éireann of Ireland's accession to the memorandum of understanding concerning the principles for the establishment and operation of a battle group, considered by the Select Committee on Justice, Defence and Equality on 31 January 2012; No. 13, Bretton Woods Agreements (Amendment) (No. 2) Bill 2011 — Order for Report and Report and Final Stages; and No. 14, Dormant Accounts (Amendment) Bill 2011 [*Seanad*] — Second Stage (resumed).

It is proposed, notwithstanding anything in Standing Orders, that Nos. 8 and 9 shall be decided without debate, and the proceedings on Nos. 10 and 11 shall each be brought to a conclusion within 20 minutes and the following arrangements shall apply: the speeches shall be confined to a Minister or Minister of State and to the main spokesperson for Fianna Fáil, Sinn Féin and the Technical Group, who shall be called upon in that order and who may share their

time, and shall not exceed five minutes in each case. Private Members' business shall be No. 39, motion re community employment schemes.

An Leas-Cheann Comhairle: Is the proposal for dealing with Nos. 8 and 9 agreed to? Agreed. Is the proposal for dealing with Nos. 10 and 11 agreed to? Agreed.

Deputy Micheál Martin: On proposed legislation, in terms of the governance of the health service I am extremely concerned with what I would perceive to be an absence of overall governance and some serious issues emerging as a result. I instance today the situation regarding the delay in medical card applications and particularly the renewal of medical cards. I ask the Taoiseach to update the House on when we can expect to see the Bill on the governance of the Health Service Executive since the changes the Minister announced. In the interim, while we await that legislation, will the Government take immediate steps to come to the assistance of those who are chronically ill and depend on their medical cards for life-saving medication in that while their applications are in for renewal they would continue to receive cover for the medication they require? It is an urgent issue. Deputies across the House are getting calls about it. I ask the Taoiseach to intervene directly on that specific issue while we are awaiting the HSE (amendment) Bill on the governance of the health service.

5 o'clock

An Leas-Cheann Comhairle: Is that on the Order of Business?

The Taoiseach: I ask the Deputy to give me the details of the case to which he refers. If we set in train a system to provide answers to applications for medical cards, I do not understand the reason that cannot operate in the way it should.

Deputy Micheál Martin: There is a huge delay.

Deputy Mattie McGrath: It has collapsed.

The Taoiseach: I understand that in a lot of cases all of the elements of the application are not filled out and therefore are returned.

Deputy Micheál Martin: The centralising has caused enormous delay.

The Taoiseach: I want to help the Deputy. If he gives me the details of the chronically ill patient he referred to I will have it taken up directly with the Minister for Health. If the Deputy or one of his members wants to put down a Topical Issue——

Deputy Micheál Martin: Rather than me giving the Taoiseach the detail there is a case to be made——

The Taoiseach: Yes, and there is no reason we cannot have a system now——

Deputy Micheál Martin: ——while people are in the process. Chemists are now refusing them the medication.

The Taoiseach: ——that operates smoothly, competently and professionally.

Deputy Micheál Martin: That was always the way previously.

The Taoiseach: I would like to see that happen with the applications for all medical cards. Some may be granted and some may be refused but that does not mean the system should not operate effectively.

An Leas-Cheann Comhairle: We are on the Order of Business.

Deputy Micheál Martin: The pharmacists are refusing them at the moment. They are waiting months.

The Taoiseach: It is not the only problem we have come across in health, Deputy Martin. Let us see if we can fix it. It is not the only problem we have come across in this system or across the structure of health governance in general but it is one that must be fixed to ensure it operates in the patients' interest. Either they get them or they do not but at least they deserve an answer quickly.

Deputy Micheál Martin: The Minister can make an order straight away.

Deputy Paul Kehoe: The Deputy's party centralised the system.

Deputy Billy Kelleher: Again, you are denying the problem——

Deputy Micheál Martin: Just sort it. I am making a genuine request.

Deputy Jerry Buttimer: You ran away from your responsibilities.

(Interruptions).

Deputy Gerry Adams: A Leas-Cheann Comhairle, I was waiting for you to read out motion No. 11. I may be remiss but I want to put it on the record that this effort to put together participation in the European Union battle group with a 20 minute debate is not sufficient. Sinn Féin has consistently placed on record our opposition to Irish involvement in these EU battle groups. There are clearly elements within the EU who want to move towards a European army model.

I missed an opportunity in this respect but I do not believe the gravity of the issue has been discussed or that it can be properly dealt with in the 20 minutes that have been allocated for it.

An Leas-Cheann Comhairle: The Deputy can make that point during the debate on it.

Deputy Michael Healy-Rae: Following on from the programme for Government and with respect to promised legislation on airports, will the Taoiseach comment on the serious situation pertaining in the Cork-Swansea ferry service?

An Leas-Cheann Comhairle: That is not a matter on which there is promised legislation.

Deputy Michael Healy-Rae: It is.

An Leas-Cheann Comhairle: I will ask the Taoiseach about it.

Deputy Michael Healy-Rae: I am asking him about it.

Deputy Micheál Martin: It is related to a review of ports legislation.

Deputy Michael Healy-Rae: Yes. This involves some 78 jobs, a potential loss of €30 million to the south west region and during a period of 18 months that service brought 150,000 passengers into the south west. I appreciate that the Taoiseach knows not only every highway but every byway in the south west because he is a regular traveller to the region. He will appreciate the importance of that service to the south west region.

An Leas-Cheann Comhairle: I call on the Taoiseach to reply.

Deputy Michael Healy-Rae: Can the Taoiseach give us some hope that the Government will be able to intervene and be of assistance in this vital link to the region?

An Leas-Cheann Comhairle: The Deputy cannot debate the issue, all he can ask is when a matter, if it is the subject of promised legislation, will be brought forward.

The Taoiseach: I was in Cork last weekend and this matter had come to a conclusion the night before I arrived. I commended all those who had put up their money to see if that proposal would work. There were a small number of staff in permanent jobs in the business and a sizeable proportion of the staff were agency workers who pay their taxes in another country but, be that as it may, it was undoubtedly a fact that the local spend from this service in the Cork-Kerry region was of the order of €30 million and a substantial number of persons were carried on that ferry.

I met some other people who might have views about re-attempting another programme there, but this is a case of where, clearly, State assistance could not be given in one case and not in another. While I commended those who put together the proposal and raised, by all accounts, serious money, it just was not possible to see it through. The position regarding the workers is that the number of permanent employees was small and the remainder of the staff were agency workers who pay their taxes in a different country.

Deputy Micheál Martin: Would the Government support the restoration of the ferry?

Deputy Mattie McGrath: In light of the Cabinet's approval today of a limited number of assistant Garda commissioners, when will approval be given for the appointment of the front-line positions of Garda sergeants and inspectors, who are badly needed on the ground to co-ordinate all daily and nightly operations.

An Leas-Cheann Comhairle: Question Time is over.

Deputy Mattie McGrath: These are the front-line people.

Deputy Jerry Buttimer: The Deputy missed Question Time.

Deputy Mattie McGrath: Are we going to have all chiefs and no indians in the force?

The Taoiseach: The Cabinet approved this morning the appointment of 33 senior personnel and I expect that the Commissioner, in looking at the rostering arrangements and appointments to different localities around the country, will see to it that the appointments made today, 33 in all, will add greatly to the stability and the importance of the gardaí being able to do their jobs in protecting citizens from criminals.

Deputy Michael McGrath: The arrival of the Minister for Finance is timely. Given that the heads of the personal insolvency Bill have been published, will we have a comprehensive statement by Government on the strategy for dealing with mortgage arrears? The Taoiseach had said all along that the personal insolvency Bill was the reason that was not forthcoming. We have been assured that work is going on in the background since the Keane report was delivered at the end of September last, but can we now have a statement from the Minister setting out the strategy, in its totality, for dealing with the problem?

When will the legislation dealing with the European stability mechanism, to which we have signed up, the new treaty on that, be brought to the House?

The Taoiseach: In respect of the personal insolvency Bill and the implementation of the Keane report, the Minister for Finance outlined in some detail the schedule ahead for that. The heads of the personal insolvency Bill have been published. A detailed press conference was given by the Minister for Justice and Equality, who will take the Bill, and by the Minister for Finance. I can confirm that there is an implementation group in the Department of Finance dealing with work on the Keane report. It is part of a package which needs to be right and comprehensive to deal with the very many varied cases that exist. As the Deputy is well aware, they are not all the same, those concerned all have different circumstances with which to contend. We need to get it right. The Minister will continue to update the House as the process evolves to the point where we can legislate and get on with attempting to ease the pressure and stress on the many thousands of families affected.

Deputy Sandra McLellan: Will the Taoiseach instruct the Whips to facilitate a debate on the crisis in the health services with regard to the exodus of about 8,000 staff? I support what Deputy Martin said about the issuing of medical cards. We have all encountered serious problems trying to resolve it and the issue is much more serious than just one of paperwork.

An Leas-Cheann Comhairle: The Deputy can raise with the Whips the matter of having a debate on that issue.

The Taoiseach: This request was made a few weeks ago and we had a special debate on the HSE and the situation in the health services in the House last week. I do not see why we cannot have evidence from Deputies of all parties about particular cases in respect of medical cards.

Deputy Mattie McGrath: We have it all.

The Taoiseach: If there is a system in place, it should operate and the people who apply for medical cards should get an answer as to whether they are entitled to them or not, but they should not be left in limbo. I take into account what Deputy Martin said. I have such cases raised with me and it is not very nice when somebody feels they have been thwarted by the system, and if they need medicines, they deserve to have them made available to them, and the Minister for Health stands by that. It is a case of finding out where is the blockage in the system and releasing it in order that everybody who applies for a medical card can have a response efficiently, competently and professionally. As these issues are all about patient care and attention, we could consider that. I am not sure that the Deputy wants another debate on health, we had one last week. We could have such a debate at the Joint Committee on Health and Children in a short while if Members wish to raise the issue again at that committee.

Deputy Bernard J. Durkan: I wish to raise another health matter and one that is the subject of promised legislation, the health insurance risk equalisation Bill, which concerns quite a number of people. When is it likely to be published and have the heads of the Bill being discussed? To what extent has the scope of the Bill being decided on by Cabinet and when is it likely to come before the House?

The bail Bill, to be taken by the Department of Justice and Equality, is to consolidate and amend the bail laws. There is some considerable body of opinion to the effect that the bail laws, as currently constituted, are not adequately updated to deal with the level of recidivism and general increase in crime. The Taoiseach might be able to indicate when that Bill is likely to come before the House and if the heads of it have been discussed in that context.

The Taoiseach: I can inform the Deputy that the first Bill he raised is due in May 2012. I do not have a date for the bail Bill to which he referred.

Deputy Billy Kelleher: The Taoiseach outlined on Leaders' Questions today that the Minister for Health has published detailed plans in the context of the universal health insurance but will he outline exactly at what stage are those plans? To date we have been unable to gather any information with regard to detailed plans. All we have is a commitment to set up an implementation body to oversee the Minister's opaque views on the whole issue of funding of the health services. That leads to the question raised previously by Deputy Martin in context of medical cards. If Members on the other side of the House are saying there is not an issue, they are not listening to the many thousands of people who contact all our offices on a daily and weekly basis who have been refused medical cards. It is a crying shame that we all have had cases brought to our attention of——

An Leas-Cheann Comhairle: Is there promised legislation on the first issue the Deputy raised?

Deputy Billy Kelleher: ——people who are dying as we speak who cannot get medical cards. If the Taoiseach wants the details of those persons' queries, I will give them to him and I will give him the details of many more as well.

Deputy Mattie McGrath: We could all give them.

The Taoiseach: I did not say the Minister has published details plans in respect of universal health insurance. I said it is the intention of the Government to introduce a universal health insurance system at the end of this Oireachtas which will mean everybody will have medical attention made available to them on the basis of their medical requirement as distinct from their income. The Minister has set up an implementation group and it will meet very shortly. His intention is to produce a White Paper which will be properly discussed. It will not be implemented this year. As I said, it is part of the programme for Government to introduce it towards the end of the lifetime of this Government. The medical card situation here seems to be similar to the passport problem we had some time ago.

Deputy Mattie McGrath: Worse.

The Taoiseach: That was dealt with and the medical card problem will be dealt with as well. There is a difference between not getting a medical card and being granted one. The system that operates should be professional, competent, efficient and up to date, and if a person applies for a medical card and complies with all the conditions on the application form, there is no reason he or she should be left in limbo. That is an issue we will take up to see if we can sort out the problem. If Deputy Kelleher wishes to give me the details of that particular case, I would be happy to take them from him.

Deputy Mattie McGrath: We all have dozens of cases.

An Leas-Cheann Comhairle: The Deputy's other question is about legislation, I hope.

Deputy Billy Kelleher: During the statements on Dáil reform last week, the Minister for Justice and Equality made a personal attack on me when I was not present in the Chamber, although I was about the only one present in the environs of Leinster House other than the few who were participating in that debate.

Deputy Paul Kehoe: The Deputy was caught out.

Deputy Billy Kelleher: The Tánaiste was playing pool down in Galway and the Taoiseach was in my fine county of Cork, yet I was the one accused of not being here. Just to let everyone

[Deputy Billy Kelleher.]

on the Government side know, I was here. I did sign on in the one-stop shop and was witnessed by very competent officials, so for anyone to insinuate that I was not in the Chamber is untrue.

An Leas-Cheann Comhairle: Thank you, Deputy.

Deputy Michael Healy-Rae: We had three Ministers in south Kerry last Friday.

Deputy Billy Kelleher: I am going to ask a serious question.

Deputy Jerry Buttimer: On promised legislation?

An Leas-Cheann Comhairle: Is it about legislation?

Deputy Paul Kehoe: The Deputy was happy to see them in Kerry.

Deputy Billy Kelleher: When are we going to have a serious debate about Dáil reform? We have been promised serious reform, but all we have is a charade once a month in this Chamber.

An Leas-Cheann Comhairle: That is a matter the Deputy should take up with the Whips.

Deputy Michael Healy-Rae: There were three Ministers in south Kerry last Friday.

Deputy Shane McEntee: Cleaning up the last Government's mess.

Deputy Jerry Buttimer: The heckling is terrible, a Leas-Cheann Comhairle.

Deputy Mattie McGrath: Takes one to know one.

Deputy Jerry Buttimer: When can we hope to see the companies (miscellaneous provisions) Bill? The Taoiseach met the workers in Vita Cortex last Friday, on which I commend him. Also yesterday, Members of the Oireachtas from Cork city, including Deputies Martin, Michael McGrath and me, along with the Minister of State at the Department of Justice and Equality, Deputy Lynch, met the workers, who have been protesting for more than 50 days. The promised legislation is aimed at strengthening and improving the enforcement of company law. I hope we will see it before the House soon because the workers at Vita Cortex are suffering today. I know the Taoiseach met them on Friday and I thank him for that, but we need to see legislation that will prevent people who have given a lifetime of service from being treated badly.

The Taoiseach: That Bill is due late this year. I can confirm that I did meet representatives of the union and workers at Vita Cortex last week in Cork. I found them to be a very real and honest group of people, and what they are looking for is respect. One of them has given 47 years service to this company. I met the Minister for Jobs, Enterprise and Innovation, Deputy Bruton, today. Clearly, this is a difficult problem. The Office of the Director of Corporate Enforcement cannot find sufficient grounds with regard to the company. The workers' case is that everyone else who left Vita Cortex was given a redundancy payment of 2.9 weeks per year. The Minister for Social Protection has been processing the applications for redundancy by these workers. I hope to meet again with the Minister for Jobs, Enterprise and Innovation, Deputy Bruton, to see what assistance, if any, can be given from here.

The Labour Relations Commission is, of course, available and continues to be available to facilitate talks. I intend to write to the commission following my meeting with the Vita Cortex workers. As I said, what they are really looking for is a sense of respect based on the many

long years of service they gave to the company, including, I might add, facilitating the release of sophisticated machinery for overhaul in recent months in order that the company could meet its targets and objectives, and they feel very aggrieved at the way this is turning out.

Deputy Peadar Tóibín: Will the upcoming Finance Bill resolve the serious issue whereby the Tara Mines pensioners have been forced to bear the burden of the Government's previous pension levy? Will it ensure that those pensioners do not have a significant proportion of their pensions taken from them in future?

An Leas-Cheann Comhairle: We should not have a debate on promised legislation.

The Taoiseach: The Finance Bill will be published later this week and the Deputy will have an opportunity to comment on it then.

Deputy Jonathan O'Brien: As far as I am aware, we will not be proceeding with the Immigration, Residence and Protection Bill 2010, which is currently on Committee Stage, and the Government is planning to publish a new immigration Bill. When is that likely to be published?

The Taoiseach: A new emigration Bill?

Deputy Jonathan O'Brien: Immigration.

The Taoiseach: I am not aware of the publication of any new immigration Bill.

Deputy Brendan Griffin: Will measures be included in the forthcoming Finance Bill to tackle the major issue of lost revenue to the State due to the illegal smuggling of tobacco and illicit tobacco products? Will there be measures to increase fines for those involved in that practice?

An Leas-Cheann Comhairle: Again, the Deputy is asking about detail, but I will call on the Taoiseach to respond.

The Taoiseach: The Minister for Finance is well aware of these two issues, which are of considerable importance to our economy. We recognise the scale of what is going on here. I advise the Deputy to wait until the publication of the Finance Bill, when these matters may be raised.

Health (Professional Home Care) Bill 2012: First Stage

Deputy Billy Kelleher: I move:

That leave be granted to introduce a Bill entitled an Act to provide for the regulation of professional home care, and for that purpose to amend the Health Act 2007 and to provide for related matters.

An Leas-Cheann Comhairle: Is the Bill opposed?

Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe): No.

Deputy Billy Kelleher: Is there any interest in it?

Question put and agreed to.

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

Deputy Billy Kelleher: I move: “That the Bill be taken in Private Members’ time.”

Question put and agreed to.

Teaching Council Act 2001 (Amendment of Nominating Bodies) Order 2012: Motion

Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe): I move:

That Dáil Éireann approves the following Order in draft:

Teaching Council Act 2001 (Amendment of Nominating Bodies) Order 2012,
copies of which were laid before Dáil Éireann on 9 January 2012.

Question put and agreed to.

European Union Directives: Motion

Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe): I move:

That Dáil Éireann approves the exercise by the State of the option or discretion under Protocol No. 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, that it wishes to take part in the adoption and application of the following proposed measure:

proposal for a Directive of the European Parliament and of the Council on criminal sanctions for insider dealing and market manipulation,

a copy of which was laid before Dáil Éireann on 20 January 2012.

Question put and agreed to.

Topical Issue Matters

An Leas-Cheann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 27A and the name of the Member in each case: (1) Deputy Patrick Nulty — cuts to community-based family therapy services in mental health; (2) Deputy Maureen O’Sullivan — the need to ensure that Gaelscoil Bharra, Cabra, Dublin 7, will be included in the soon to be published five-year building plan; (3) Deputy Anne Ferris — the problem of mortgage holders who are unable to avail of mortgage interest relief; (4) Deputy Joe McHugh — the accountability of the Teaching Council; (5) Deputy Jonathan O’Brien — the recent bed closures at the Mercy Hospital, Cork; (6) Deputy Marcella Corcoran Kennedy — the progress made in assessing the potential of Bord na Móna to manage Irish Water; (7) Deputy Dan Neville — a national survey of public attitudes to disability in Ireland; (8) Deputy Ciara Conway — the need for schools to have supports in place to assist students with special educational needs for pre-leaving and pre-junior certificate exams; (9) Deputy Aodhán Ó Ríordáin — the need to issue pardons to personnel who deserted the Irish Defence Forces during the Second World War in order to fight for the British Army; (10) Deputy Alan Farrell — the decision of FÁS to discontinue all training courses in Balbriggan, County Dublin; (11) Deputy Kevin Humphreys — the delays in processing applications for carer’s allowance; (12) Deputy Thomas P. Broughan — the need for the Minister for the Environment, Community and Local Government to develop in conjunction with the local authorities a new series of anti-graffiti measures, given the upsurge in this anti-social scourge in communities across the country, and to introduce measures to address the problems of

residents in new estates whose developers are claiming inability to pay to finish the estates, particularly with regard to public street lighting, and to request the Minister to make a statement on the matter; (13) Deputy Tony McLoughlin — the need to increase the number of IDA-supported jobs in the Sligo-Leitrim region; (14) Deputy Seán Ó Fearghaíl — the need to review the decision to close the Irish Embassy in the Vatican; (15) Deputy Joan Collins — the need to reverse the cuts in funding to Cherryfield Resource Centre, Dublin 12; (16) Deputy Brendan Smith — the number of teachers who are due to retire at the end of February and the number who will be re-employed until the State examinations; (17) Deputy Michael McCarthy — the need to connect metropolitan area networks, MANs, that are currently dormant in the west Cork area; (18) Deputy Michael Healy-Rae — the Cork-Swansea ferry; (19) Deputy Mattie McGrath — the way in which NAMA is operating and the failure of banks to lend to businesses; (20) Deputy Noel Harrington — the need to maintain the district social welfare office in Castletownbere, County Cork; (21) Deputy Richard Boyd Barrett — the need for a public inquiry about the Providence Resources application to drill for oil and gas on the foreshore in Dublin Bay; (22) Deputy Michael McNamara — the northern distributor road in Limerick; (23) Deputy Charlie McConalogue — the need to publish a plan for dealing with midwifery services, particularly at Holles Street hospital, Dublin, in view of impending retirements; (24) Deputy Mick Wallace — the reduction in the provision of guidance counselling at Gorey community school, County Wexford; (25) Deputy Derek Keating — the need to maintain adequate funding for drugs task forces; (26) Deputy Clare Daly — western and potential UN intervention in Syria; (27) Deputy Joe Higgins — the repeated involvement by western governments in the Syrian revolution; (28) Deputy Michael McGrath — the need to ensure that the former employees of Bowen Construction Limited will receive the full amount of outstanding moneys owing to them.

The matters raised by Deputies Anne Ferris, Joe McHugh, Patrick Nulty and Charlie McConalogue have been selected for discussion.

Topical Issue Debate

Tax Reliefs

Deputy Anne Ferris: I am pleased to have the opportunity to speak on this issue, as it is one that affects thousands of people around the country, not least in my home constituency of Wicklow, and has recently been highlighted in the media.

These past few years have been difficult for many home owners who are struggling to keep their heads above water. I have been contacted repeatedly by constituents from Bray to Greystones and from Arklow to Baltinglass who are worried about how to cope with mortgage payments they cannot sustain. There are too many in negative equity and too many who bought at the height of the market for fear of being left behind by a market that eventually had a hard landing.

The Government, I know, is doing what it can to help people caught in these untenable situations. I have in past times welcomed such initiatives as were contained in the Keane report, and I look forward to seeing the personal insolvency Bill passed as soon as possible. Indeed, as Vice Chairman of the Joint Committee on Justice, Defence and Equality, I very much look forward to hearing from interested parties with regard to the heads of the Bill, which will come before the committee soon. While I welcome the actions that are being taken by the Government on these important issues, I cannot understand why the recent budgetary measures on mortgage interest relief have not been passed on.

[Deputy Anne Ferris.]

Last week I heard from a young couple in Blessington who are in severe financial difficulty. The man was employed in the construction industry and was earning great money during the boom. The woman is a homemaker who looked after their three young children. They bought a very comfortable home a few years ago to provide for their growing family, when they could afford to pay for it. They paid more than €500,000 for this house, but in today's market it is not worth even half that amount. He has lost his job and they are struggling to keep up with mortgage repayments. They worry for their future and the future of their children. They told me that anything that would make their lives a little easier would be very welcome, and this included the mortgage interest relief.

I have a number of questions for the Minister. Why has the situation arisen whereby the computer systems of the Revenue Commissioners are not in co-ordination with those of the banks? How is it that the more than 270,000 people who are eligible for this relief are being forced to wait? People are trying to balance their personal budgets on a daily, weekly and monthly basis and they need to have more certainty on issues such as this. Can the Minister confirm when this problem will be resolved? I understand from local media reports that the necessary alterations might not be made until April. Why would there be such an extensive delay? How much will it cost the State to bring the computer systems into line with each other? Are any other payments affected by this lack of communication?

Can the Minister confirm which financial institutions have passed on the interim rate of 25%? Can he say why most customers who have been switched to the interim rate have not been informed of the change by their respective banks?

Minister for Finance (Deputy Michael Noonan): Mortgage interest relief is available in respect of qualifying interest on a qualifying loan in respect of a qualifying residence. A qualifying loan is a loan used for the purchase, repair, development or improvement of an individual's principal private residence. The relief is provided at source through financial institutions. This means that the mortgage holders get the benefit of the relief directly from their mortgage providers in the form of reduced monthly repayments which take account of the tax relief.

The cost of mortgage interest relief is a significant burden on the Exchequer. At its peak in 2008 mortgage interest relief cost the Exchequer €705 million. It is estimated that the cost of mortgage interest relief was €457 million in 2011.

It is acknowledged that the early years of a mortgage are the most difficult for mortgage holders. Therefore, since 1993, mortgage interest relief has been focused towards first-time buyers, granting this cohort a higher rate of relief, as it was considered that these mortgage holders were most in need of assistance. In the supplementary budget of 2009, mortgage interest relief was entirely focused on mortgage holders who were in the early years of their mortgages. Mortgage interest relief was ceased for mortgage holders who had already received mortgage interest relief for seven years or more.

In line with the commitment in the programme for Government, mortgage interest relief was increased in budget 2012 to 30% for first-time buyers who purchased their first homes between 2004 and 2008. This measure was intended to help mortgage holders who purchased at the peak of the housing market. The Government also reversed the previous Government's decision to reduce the rates and ceilings of mortgage interest relief for those purchasing in 2012. The previous rates are maintained at 25% for first-time buyers, reducing to 20% on a sliding scale, and 15% for non-first time buyers. Anyone currently qualifying for mortgage interest relief or who purchases in 2012 will receive the relief up until the end of 2017. These measures will cost in the region of €55 million per annum. Mortgage interest relief will not be available for new

loans from 2013 and it is set to be abolished altogether from 2018. Further technical details will be set out in the Finance Bill to be published later this week.

When any time-limited measure is introduced, there is always pressure from individuals, falling outside the scope of the measure, for it to be extended to them, for example, individuals who purchased in 2003. However, it is necessary to choose a cut-off point as otherwise the measure will become untargeted and very costly. It is evident that house prices increased significantly during the period 2004 to 2008. As the Deputy will appreciate mortgage interest relief is most valuable to mortgage holders in the early years of the mortgage, when the interest makes up most of the repayment.

I am aware that some mortgage holders have pointed out that they are not eligible to benefit from the new measure, despite having purchased in the period, because they have rented out their homes. While these individuals are not eligible for mortgage interest relief, because it is not now their principal private residence, they would be entitled to a 75% mortgage interest tax relief against the rental income from this property.

Mortgage holders who find themselves in difficulty may qualify for mortgage interest supplement. This is a means-tested payment made by the Department of Social Protection to provide short-term support to help pay mortgage holders' interest repayments.

Finally, it should be noted that the Central Bank's code of conduct on mortgage arrears governs the relationship between lenders and borrowers who are in arrears and contains a number of important protections for borrowers. It has established a mortgage arrears resolution process for handling cases in arrears and dedicated arrears support units and appeals processes. The code of conduct also provides that a lender must not apply to the courts to commence legal action for the repossession of a borrower's private residence until every reasonable effort has been made to agree an alternative arrangement with the borrower.

Mortgage interest relief is available only in cases where mortgage interest is being paid. Therefore, I appreciate that the current relief is not going to help those in arrears. As I have mentioned, other solutions are available for this category of mortgage holders.

Deputy Anne Ferris: I thank the Minister for his reply, but he did not answer any of my questions. I referred to the recent media reports that people who were due to get their mortgage interest relief increased to 30% were not getting it. It has also been highlighted that the computer systems of the Revenue Commissioners and those of the various banks are not talking to each other. We had similar problems in the past but they were resolved.

These people cannot afford to wait month by month. They are now being told by the banks and the Revenue Commissioners that it could take two or three months for the problem to be sorted. People throughout the country are struggling for any little help we can give them. I appreciate that the Minister and this Government have done a great deal to help people who are struggling to pay their mortgages but why is there a delay since the Minister announced this in the budget? It is the beginning of February and we are being told these people will have to wait until April. Why is there a breakdown in communications between the Revenue Commissioners and the banks? What is the cost to the State of getting the two systems to work together?

People's opinion of the banks is at a very low ebb, and has been for some time. Why have the banks not implemented the mortgage interest relief?

Deputy Michael Noonan: The Topical Issues debate notified to the Department of Finance was entitled: "To raise the issue of mortgage holders unable to avail of mortgage interest

[Deputy Michael Noonan.]

relief.” I replied to that. However, the Deputy raised questions about matters we did not anticipate. I will get the Deputy a full reply to the questions she raised today.

Deputy Anne Ferris: I appreciate that.

Deputy Michael Noonan: There was obviously a mismatch between what the Department interpreted the Deputy’s intentions to be and what she actually asked in the debate. I will provide her with a full reply.

Deputy Anne Ferris: I thank the Minister.

Teaching Council

Deputy Joe McHugh: I welcome the Minister of State, Deputy Ciarán Cannon.

I have been contacted by numerous teachers who have been trying to get accreditation for a long period of time from the Teaching Council. In one instance, a teacher with 17 years experience has been waiting for more than two years, while another teacher with specific qualifications in applied mathematics has been waiting for more than a year. It has gone beyond the point of frustration for these teachers. They want to get the proper accreditation and get on with their jobs. I raise this issue because I do not understand why should it take this long to do it. Why should a teacher be told, over the telephone, by a person in the Teaching Council that he or she will be dealt with within the following 16 to 18 weeks?

We politicians live in the real world. If someone rings us on a Monday morning, he or she expects us to get back to him or her by that afternoon and to have the issue sorted by the Tuesday morning. That is the world in which we and many people in the private sector live. Many within the public service live in that world also. I am not disparaging or making generalisations about the public sector. However, I would like to know why an official can recite over the telephone that it will take 16 to 18 weeks to sort out a problem that could be dealt with much more quickly. It sends a message about the lack of efficiency, due process and initiative on the part of officials in such positions.

We need to look at these instances in the context of the overall reform to which the Minister for Education and Skills and the Minister of State are aspiring. There will be considerable change and reform in the education system. We should emulate countries such as Finland that are spending minimal amounts of Exchequer funding on administration but pumping money into the classroom and the coalface of teaching. They are also empowering schools and devolving power to the local level. We have inherited a centralised education system. While checks and balances are needed in any system, our model which concentrates control at the centre needs to be examined closely when we go through the reform process.

When the public sees what is happening to the pupil-teacher ratio in primary schools and teachers’ jobs being threatened, the issue of fairness comes up. Members of the public are not considering fairness in relation to what is happening in their own backyard but in other places where savings could be made. I am not saying we should abolish the Teaching Council. I am saying we must send a strong signal that efficiencies are being made in the Teaching Council. Making a telephone message to say it will take 16 to 18 weeks to sort out a very simple problem does not augur well for the efficiencies towards which we aspire to making.

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): I am taking this Topical Issue Debate on behalf of my colleague, the Minister for Education and Skills, Deputy Ruairí Quinn.

The Minister sees the Teaching Council as key to implementing the Department's strategic objectives on the quality of teaching and learning in schools. Much work has been done by the council to develop education, in particular, in maintaining and improving teaching standards. When the Act is fully commenced, the State will have a comprehensive regulatory framework in place for the teaching profession.

The Teaching Council was established on a statutory basis in March 2006 under the Teaching Council Act 2001. Its functions and objects are set out clearly in the Act and cover matters such as the promotion of teaching as a profession, the promotion of the professional development of teachers, the improvement of the quality of teaching in the State and the registration and regulation of teachers.

The Teaching Council Act includes provisions governing membership, funding, accountability and the council's relationship with the Department. The legislation provides for the appointment of a 37 member council, of which 22 members are either directly elected teachers or nominated by teacher trade unions. The term of each council is limited to a maximum of four years. The council has responsibility for operationalising the provisions of the Act and the development of the necessary organisational and collaborative strategies and structures for the effective regulation of the teaching profession. It is responsible for the conduct of its affairs and meeting any obligations arising in this regard.

As a public body, the Teaching Council complies with a range of Government policies and requirements applicable to public bodies generally, including policies on employee numbers and remuneration and corporate governance. Under the Act, the council is a self-funding body but is subject to independent audit and required to publish its accounts, together with its annual report, which are lodged in the Houses each year.

A number of other obligations fall on the Teaching Council which enhance its accountability. It is required to implement the Department's policies on teacher education, probation, qualifications, professional conduct and so on. The approval of the Department is required for the drawing up of regulations in areas such as the election of members, the charging of fees and the registration of teachers. The council is required to provide the Minister with information and advice on matters relating to its functions having regard to resource implications and other relevant matters. In certain circumstances, members of the council may be removed.

Aside from the formal provisions, there is ongoing contact and communication between my Department and the Teaching Council at official level. The Minister meets the council from time to time. He is satisfied that the accountability of the council is in order, both in terms of regulation and in practice.

The matters raised by the Deputy stray into the operational day-to-day functioning of the Teaching Council, particularly how it interacts with those who seek to avail of its services. I share his concerns regarding the instances he referenced. I will work closely with him in addressing these concerns if he wishes to raise them with me later.

Deputy Joe McHugh: I welcome the Minister of State's response and appreciate his offer to work with me in addressing my concerns. I look forward to working with him on the matter.

On a broader level, the single biggest sickness in the country in the past 20 years has been the increase in bureaucracy and red tape. It will be difficult to grasp this nettle. We need to change to a culture in which efficiency and providing a response for the public will be priorities. In the first 12 months of the Government Ministers have gone about their business in a very efficient and proactive way. However, we must now tackle the bureaucracy and red tape that are holding back people in business and preventing decisions being taken in a reasonable period of time. This challenge faces both Opposition and Government Deputies. I do not

[Deputy Joe McHugh.]

speak specifically about the Teaching Council; I am talking in general terms. The single biggest challenge for the Dáil is to tackle the sickness of bureaucracy and red tape. That responsibility rests on people on both the Opposition and Government sides of the House.

Deputy Ciarán Cannon: I concur wholeheartedly with the Deputy in the sentiments he expressed. Bureaucracy, properly administered, can be wonderful, but it can be a drag on job retention and creation. As the Deputy pointed out, we must be careful in the coming months and years to root out unnecessary bureaucracy. Internationally, there are many wonderful examples of how this has been done. Having worked closely with a number of public servants in the Department, I am adamant that there is a willingness to make this happen. Whether that willingness permeates all sections of the public service is questionable. A report published by the European Commission last May, which was carried out by Accenture and the department of economics at the University of Oxford, concluded that if our public service acted in the manner it should act, eliminating bureaucracy and encouraging job creation where it may happen, we could create up to 15 million new jobs across the EU by 2020. That is the challenge we are facing. We urgently need to engender an innovative and almost entrepreneurial culture in the management of the public service. The situation in which we find ourselves now, where those people are working with severely reduced resources, may actually cause that to happen, because it certainly has not happened in the past.

If the many silos in our public services were run as efficiently and creatively as some entities in the private sector, that cultural shift which needs to occur would actually occur. We need to have our public services essentially serving the public. It sounds very trite, but that is how simple it is. That is not happening at the moment, but it most certainly needs to happen in the future.

Mental Health Services

Deputy Patrick Nulty: Before I begin, I would like to acknowledge the Minister of State's strong personal commitments on the issues covered in her own brief.

I would like to talk today about the cuts to community-based counselling services. They provide family therapy, counselling to youth work and marriage guidance and support to families in crisis. There are about 29 of these community-based projects throughout the country. In 2009 they received about €8 million in funding. What is unique about these services is that they developed organically within our communities. The drive to set up these counselling services came from people living in their communities such as community development workers, people from religious orders and people involved in all sorts of community activity. They recognised that there was a huge gap in family support and that there was a need for access to quality counselling for families, many of which are on a low income and which simply could not afford to access this type of support in the private sector. These facilities were established within communities. They have boards of directors that are set up within the communities as well. They provide a vital service to those communities.

In recent months, these community-based services have received notice from the Family Support Agency that they will receive a funding cut of 12% this year, 12% next year and 12% the year after. This is on top of a 10% cut they received last year when Fianna Fáil was in power, and this makes up a 46% cut over four years. These services simply cannot sustain such cuts. If the cuts go ahead, many of them will close.

The Genesis counselling service in my own constituency of Dublin West was established in 1993, based on a needs assessment of the community. It is located in the Corduff, Mulhuddart and wider Dublin 15 area. Its establishment was a recognition that there was a huge gap in

supports for working class communities to ensure that people get access to counselling services. The service provides counselling for parenting and for relationships in difficulty. It receives referrals from organisations like Women's Aid, the Garda Síochána, child protection agencies and legal aid. It plays an incredibly important role in providing support to people.

I met the board of directors of Genesis counselling service a few weeks ago. The people on the board are not prone to histrionics or grandstanding. They are rooted in working class communities throughout this country and they are saying that if the cuts go ahead, these services may close and this will have a devastating impact on the communities that we serve and seek to represent in the Dáil. We need to review the cuts urgently.

If families do not get access to support and assistance for young people experiencing difficulties, what will be the outcome? More young people will become involved in criminal activity. There will be more family breakdown, more drug use and alcohol abuse. It will lead to a range of social problems. It will also cost the Exchequer far more than the cost of the provision of services in the community. Crude cuts of this nature do not equal savings for the taxpayer. They do nothing to address the economic crisis in which we find ourselves. They do nothing to address the 14% unemployment rate.

I implore those making these decisions not simply to look at a balance sheet. I appreciate the Minister for Finance may have other commitments, but it is a pity he was not able to stay to listen to this debate. The decisions that have been made on spending cuts are impacting locally. They are greatly affecting community services, youth projects, and community development programmes. That will undermine the progress that has been made in our communities. I cannot see how that is in anyone's interest.

I know the Minister of State has a very strong track record on these issues over many years. I ask her, through her office, to bring any support she can to have these cuts reviewed.

Minister of State at the Department of Health (Deputy Kathleen Lynch): I thank Deputy Nulty for raising this issue. The mental health of the population plays a vital role in the vibrancy and economic life of the country. Investing in the promotion of positive mental health and in early intervention is an investment not only in the individual's quality of life, but also in that of his or her family and even the community in general.

Expenditure reductions in 2012 will challenge all areas of the health system to provide continuity of services that are both appropriate and safe for patients. Like other care areas, efficiency savings and other savings will be required from the mental health service nationally, which will necessarily involve some rationalisation and reorganisation of services at local and regional level. We have shifted the emphasis in mental health service delivery in recent years from the old model of institutional care to community-based multidisciplinary services which necessarily engage with service users at local level and often in their own homes. As a result, in many instances the family will also benefit through supports appropriate to the individual's needs. Such services assist families in coping with what is often a very difficult and stressful environment.

Cuts to services have not been targeted at this particular area. We have in fact prioritised mental health services for children and adolescents and have sought to expand inpatient provision as well as extending the reach of the service in this area to the community level, including home based treatment where possible. An example of the improvement in the child and adolescent area is the planned relocation of the Warrenstown inpatient service to recently vacated and redecorated facilities at St. Loman's Hospital in Palmerstown — I know the Deputy is familiar with this — which will involve more efficient use of staff resources available and the

[Deputy Kathleen Lynch.]

delivery of a higher level standard of service overall, including additional inpatient beds. Further down the road, these services will transfer to the new facilities in Cherry Orchard.

Despite all the cuts that have had to be applied across the board in health, I am glad to say that it was possible in the 2012 budget to announce a special new allocation of €35 million for mental health services in line with our programme for Government commitments. This funding will be used primarily to strengthen community mental health teams in both adult and children's mental health services by ensuring, at a minimum, that at least one of each mental health professional discipline is on every team. It is intended that the additional resources will be rolled out in conjunction with a scheme of appropriate clinical care programmes. Approximately 400 additional staff will be recruited to support these initiatives. In addition, further inpatient child and adolescent beds will open this year, something that for a long time has been a critical gap in the spectrum of mental health services.

Some of the new funding will also be used to advance activities in the area of suicide prevention and response to self harm presentations, and to improve access to psychological and counselling services in primary care, specifically for people with mental health problems. Some provision will also be made to facilitate the relocation of mental health service users from institutional care to more independent living arrangements in their communities in line with the health document, *A Vision for Change*.

It is imperative that the Government gets the best value for money for our available resources in these most difficult of economic times. The duplication of mental health services needs to be avoided to provide a more streamlined service. We need to co-ordinate our efforts and work together to develop our mental health services in line with the recommendations in *A Vision for Change*. In essence, we need to provide more with less and this has already been achieved in mental health service provision in many areas.

I am fully committed to working closely with the HSE and voluntary agencies to introduce programmes and services which will deal more effectively and appropriately with the issue of mental health.

Deputy Patrick Nulty: I agree that there is a need for value for money on every item of public expenditure and that the people we represent expect this. This is the annual report of the Genesis psychotherapy and family therapy service which gives value for money. If there is a 12% cut in services such as this this year and in the two following years, value for money will not be achieved. It will result in a higher level of family breakdown in our most vulnerable communities. As an example, the Genesis service has a waiting list of 100. It costs money to provide mortgage interest supplement, rent supplement and send people to prison. I do not believe reductions in expenditure of this nature help us to bridge the gap between income and expenditure. It is a case of moving the furniture around the house when we should investing in the provision of early support such as that provided by the Genesis service. I welcome the Minister of State's personal commitment and invite her to visit the service to see the work being done. I appreciate she is not in a position to give a commitment today, but I ask her to ask her departmental officials about the cut to this service. The people who raised the issue with me are dealing with mental health issues on the ground in working-class communities and deeply concerned about the closure of such facilities.

Deputy Kathleen Lynch: I have no doubt that the service to which the Deputy refers is an excellent one and doing an exceptional job. The difficulty from our perspective is that we need to provide an exceptional service in all areas of the country. We hope to do this by means of the community mental health teams which, in combination with primary care teams, will give

us a bigger bang for our buck. While I acknowledge that groups such as Genesis provide an excellent service in particular areas, we must ensure a service is delivered to everyone. That is our objective. It will be a nationwide service. I am confident that the expertise of the Genesis service will be well utilised because additional personnel will be needed to staff the community mental health teams. We need to be cautious about saying young people with mental health or personal difficulties automatically end up in prison because that is not necessarily the case. I have no doubt that Genesis is providing an invaluable service.

Hospital Services

Deputy Charlie McConalogue: We are seeing a repeat of a trend in the health service since the Government and, in particular, the Minister for Health, Deputy James Reilly, took office. There has been almost a 50% increase in the cost of health insurance for families. At the start of the year the Minister announced a 40% increase in the health insurance levy charged to health insurance providers. The levy was to ensure the companies would not increase their prices, but VHI increased the cost of cover for older people by up to 12.5%.

The Minister said he would not be closing any hospitals. This was the same promise given during the general election campaign with regard to Roscommon County Hospital and other hospitals, yet when the HSE service plan was published just a few weeks ago, up to 900 community hospital beds were to be closed across the country.

The Minister stated the retirement of staff under the early retirement scheme would not result in a diminution of services or have an adverse impact on patient treatment times. This week, however, he has admitted that elective treatments may have to be postponed or delayed, for which he makes no apology, despite having tried to create a mirage in the past few weeks by saying there would not be an impact on services.

The one area in which treatment is not elective is maternity services. Babies will continue to be born; the Minister cannot apply the brake and tell people to hold off in terms of the number of babies born in the State. However, as of last week, staff were leaving maternity units across the country and the Government had no plan as to how the situation would be dealt with. The Taoiseach has announced that transition teams will be in place, but how will the Government ensure services for newborn babies and their mothers will be in place?

I refer to comments made by some of the professional staff working in maternity services. The director of the HSE obstetrics and gynaecology programme, Professor Michael Turner, said staff reductions and cuts to HSE maternity service programmes could result in an increase in maternal and infant mortality rates. His concern is that unless we prioritise maternity services, we will see an increase in the number of maternal deaths if resources are cut too severely. That is the price that will be paid.

I refer to staff reductions in the Mid-Western Regional Maternity Hospital which will occur next month. Consultant obstetrician Gerry Burke has stated a huge exodus of the most experienced midwives from the hospital is taking place. He has also said that if the HSE has a comprehensive plan, it is not sharing it with staff. The Rotunda Hospital is losing 11 midwives, while eight are due to leave Holles Street Hospital. One in four midwives is leaving the maternity hospital in Limerick. How can the service be maintained? Will the Minister of State outline the plans in place and how this most non-elective of services will be maintained to ensure newborn babies and their mothers are given the service they require and expect? I hope she can give the House some information on the transition teams and how maternity services will be protected.

Deputy Kathleen Lynch: I thank the Deputy for raising this matter to which I am replying on behalf of my colleague, the Minister for Health, Deputy James Reilly.

The question put to the Minister by the Deputy was: “To ask the Minister for Health if he will publish the plan for dealing with midwifery services, particularly in Holles Street, which may be affected by retirements at the end of the month”. There is no indication in this question of the additional issues raised by the Deputy. I ask him, therefore, to excuse me if I do not respond to them. Any additional information required will be provided for the Deputy.

The Minister is aware of the impact the early retirement package will have on the provision of maternity services and all services nationally. He has requested the HSE to prioritise the safety of patients and the avoidance of risk in the delivery of services for them. Planning for the delivery of health services is undertaken within the context of the annual national service planning process which ensures all factors, including budgets and staffing levels and any other emerging issues, including the impact of retirements, are factored in in the plan for the services to be delivered within the coming year. In parallel with this process, each of the HSE’s four regions is required to develop a more detailed regional service plan. Managing the specific risks associated with the forthcoming retirements has been undertaken within this planning context and will form part of the soon to be published regional service plans.

6 o'clock
It is anticipated that 9.16 whole-time equivalent midwives and nurses will retire from Holles Street Hospital.

The hospital is planning to take a number of steps to minimise the impact of these retirements and to ensure the ongoing delivery of safe services for mothers and babies. Some of the posts affected are in the management area and their duties will be reallocated among other staff. The hospital is examining options around re-organisation of wards and rosters to minimise the impact on services to patients. Contingency plans and measures are in place at service level and will continue to be refined in advance of the end of February deadline and will focus on staff redeployment, streamlining and cross-cover arrangements. In addition, revised staff rosters and skill mix options are also being utilised.

The accelerated implementation of the national clinical programmes are key strategic supports to the risk management process which is in place around these retirements. The related work of the special delivery unit on emergency departments, surgical and outpatient waiting times and reorganisation of specialist medical services and bed utilisation will also be critical in supporting the achievement of overall resource management in the coming year. The national service plan recognises that certain positions may need to be filled, subject to the overall pay and number targets for 2012 being met. Agency staff may be used where there is a critical requirement. However, any reliance on agency staff will be in the context of the HSE’s objective to reduce overall agency costs by 50% in 2012. The Minister is determined to ensure the measures being taken now will lead to a smooth transition in services for patients following the retirement of staff at the end of February. I again thank the Deputy for raising the matter.

Deputy Charlie McConalogue: Unfortunately, the response of the Minister of State does not give me any heart or additional assurance——

Deputy Kathleen Lynch: In fairness, the Deputy did not ask.

Deputy Charlie McConalogue: I know. I refer to how the Minister for Health and the HSE has prepared for the retirements. The Minister of State referred to how the HSE’s regional service plans will deal with the situation, yet the HSE’s national service plan was only published in mid-January, two weeks into the year. As of last week it became clear what the retirement

levels would be at the end of next month, but we have now to wait on the HSE's regional service plans to deal with that. What advance planning has taken place? What effort has been made to ensure cover for those critical services that cannot be replaced overnight, such as midwifery? I got no reassurance in that regard from the response I received.

It is one mirage after another with the Minister. He said there would be no cuts to the number of beds, no increase in health insurance premia and no reduction in services as a result of retirements. That is the mantra we get from the Minister, yet when it comes to the crunch that is not the case. When it comes to the crunch in terms of retirements, the Minister has said we will have to cut back on elective procedures and we will probably have longer waiting lists. The need for midwifery services does not fall into the elective category. One cannot simply click one's fingers and get new midwives in overnight or the next week simply because a number of them have retired.

I see no evidence to date, nor in the response today, that the HSE or the Minister is on top of the issue or has any grasp of how we will deal with it. Consultants have said that if there is a plan, they have not seen it. That is not good enough. There has been a failure in terms of advance planning. Today's response does not in any way address the issue. I hope that in the coming days remedial action is taken to ensure the health of new babies and mothers is not put at risk in any way by this failure by the Minister and the HSE.

Deputy Kathleen Lynch: The regional service plans are completed. Every region must make its submission to the national service plan and, therefore, most of the work has been done. Despite the fact that the bulk of what happens in midwifery is the delivery of babies, not all of it relates to the delivery of babies. The remit is a little wider than that. I will not go into detail but, nevertheless, more is involved than that.

It is difficult to put a plan in place when one inherits a country that has been wrecked. The scale of what the Government has to deal with is enormous. As Deputy McConalogue's colleague, Deputy Calleary, is aware, I do not go in for the rhetoric of blame. We are busy enough trying to sort out the problem. The depth of the recession that this country is in dictates that we must make hard choices in the future. We must manage how we go forward. I agree entirely with Deputy McConalogue that the safety of mothers and babies is paramount. We must examine where we can plug those gaps. That is being considered as we speak. No one should underestimate the scale of the trouble this country is in.

International Agreements: Motion

Minister for Justice and Equality (Deputy Alan Shatter): I move:

That Dáil Éireann approves the terms of the agreement between the Government of Ireland and the Government of the United States of America on enhancing co-operation in preventing and combating serious crime which was signed at Dublin on 21 July 2011 and a copy of which was laid before Dáil Éireann on 10 January 2012.

As Deputies will be aware, our citizens currently benefit from Ireland's eligibility to participate in the visa waiver programme, VWP, of the United States. Following the events of 11 September 2001, the United States has set standards which it requires participating states to meet if they wish to ensure continuing eligibility for the VWP. The conclusion of an agreement on enhancing co-operation in preventing and combating serious crime, such as this one, is among the requirements set down by the United States. Similar agreements have been, or are in the course of being, finalised between the United States and 19 other European Union member states.

[Deputy Alan Shatter.]

Deputies may wish to note that the agreement draws inspiration from, and mirrors very much, the EU Council Decision of 2008, the Prüm treaty, on stepping up cross-border co-operation, particularly in combating terrorism and cross-border crime, the aim of which is to improve police co-operation through the exchange of fingerprint and DNA data.

Briefly, the agreement provides that fingerprint and DNA reference data from each country's national database should be shared in specific defined circumstances, namely, for the prevention, detection and investigation of serious crime. The agreement therefore permits a national contact point, designated by each party, to access and search the fingerprint reference data and DNA reference data of the other party. The purpose of the search is to establish if there is a match with data held by the requested state. The process does not involve the exchange of data at this stage. It merely establishes if identical data exist in the other state's database, that is to say a "hit or "no hit" search facility.

Should the search procedure show a match between DNA profiles or fingerprint data, the supply of any relevant further data is governed by the national law, including the provisions of the mutual legal assistance treaty between Ireland and the United States. Therefore, any transmission of additional data by An Garda Síochána will be governed by Irish law. As I mentioned, the provisions of the mutual legal assistance treaty between Ireland and the United States will also apply. The treaty provides that mutual legal assistance shall be afforded for the purpose of investigation with a view to a criminal prosecution. Assistance will not be available, therefore, in cases where no prosecution or referral for prosecution takes place.

Provision for the mutual legal assistance treaty between Ireland and the USA is already made in our domestic legislation by virtue of the Criminal Justice (Mutual Assistance) Act 2008. The threshold for criminal activity under Irish law for the purposes of this agreement is criminal activity which attracts a prison sentence of 12 months or more.

The Criminal Justice (Forensic Evidence and DNA Database System) Bill will facilitate the establishment and operation of a DNA database for criminal investigation purposes, a commitment in the programme for Government. Work is progressing on the preparation of the legislation. The Bill will enable Ireland to meet its obligations arising from the agreement in relation to DNA data.

The Garda Síochána's criminal automated fingerprint identification system, AFIS, is currently operational. However, it requires further development to allow it to accept remote searching of its records as required by the Prüm treaty. This work is currently being carried out and it will also facilitate the operation of the Ireland-US agreement.

International co-operation between states is an essential component in combating the ever-increasing global nature of criminal activity, in particular organised crime. Since the events of 11 September 2001, the world has become aware that no country is safe from the threat of international terrorism. Despite the extensive progress made in our own peace process, we must remain mindful of the threat posed here by dissident activities.

We must also recognise that there are other elements in society that have a contemptuous disregard for the rule of law and are prepared to take any measure to subvert it. I refer in particular to organised criminal gangs that have shown themselves capable of activities in furtherance of their interests not just within the confines of the State but also beyond its border. This agreement will provide the US and Ireland with a valuable resource in seeking to combat these threats. I commend this motion to the House.

Deputy Dara Calleary: We will support the motion. Our participation in the visa waiver programme is another testament to the strong links between Ireland the US. These links are

economic, cultural and social and extend to every aspect of life in and part of our country. The experience of travelling to the US now is much enhanced over the experience that obtained prior to our participation in the programme. However, it comes with responsibilities which the Minister has outlined. During Question Time, we discussed the complexities involved in dealing with international crime, including terrorism. The agreement forms part of that approach.

I do not doubt that our citizens have nothing to fear from our participation in this programme. On Committee Stage, we raised issues with the Minister in respect of spent convictions and so on. He intends to deal with them in new legislation later this year. We support the agreement and the continuing strength of the relationship between Ireland and the US.

Deputy Jonathan O'Brien: In principle, we are not opposed to the sharing of information or enhanced co-operation in combating serious crime. However, it is important that the rights of the individual be respected and upheld. For this reason, proper procedures and safety mechanisms need to be put in place. Greater clarity concerning the agreement is also required. For instance, we need to know what exactly is being shared, with whom, who is responsible for the data once they have been shared, who the contact points are, how the deletion of information takes place, who is responsible for its deletion and how the country that supplies the information can know that the other participant to the agreement has deleted the information. Possible amendments to the agreement have been mentioned. We need to know whether they will be presented to the committee and the House before they are agreed.

Article 7 relates to national contact points. In Ireland, the Garda will be the contact point. Who will be the contact point in the US? Will it be the CIA or Homeland Security? We do not know who it will be. Nor do we know what safeguards are being put in place to ensure the information we share is used for no other reason than that which is proposed in the agreement. We have no guarantee and no way of checking that the information we share will be deleted after the proposed timeframe.

The list of data to be shared is long and includes surnames, aliases, the spelling of names, current and former nationalities and dates and places of birth. We will be handing over a great deal of information to America, yet there is no indication as to who will be responsible for it and for what it will be used. On Committee Stage, I raised the question of Article 13 with the Minister. It refers to preventing serious threats to public security, but nothing in the agreement defines what constitutes a serious threat. This matter needs to be explained. The timeframes pose an issue. The right of the individual to correct the information supplied needs to be addressed.

For all of these reasons, we will not support the motion. It goes far beyond sharing information for the purpose of combating serious crime. We cannot support it.

Deputy Clare Daly: Despite the Minister's claim, this is a case of sharing fingerprint and DNA information collected in Ireland with the US authorities. Under the process, when a hit is made, it triggers a system of information exchange. The definition of serious crime as one where a sentence of 12 months or longer is given is ambiguous and would see many misdemeanours included.

As Deputy O'Brien stated, given the questions over DNA and individuals' right to privacy, this situation must be strictly monitored. I have grave concerns about information belonging to Irish citizens being exchanged with the US, particularly when we consider how some of our citizens, such as Mr. Seán Garland, have been treated. Extradition proceedings were pursued against an elderly, ill person who denied all responsibility for the charges, yet he was persecuted. A campaign was run to ensure he received justice.

[Deputy Clare Daly.]

The question of whether these standards are compliant with human rights is important. Why is the DNA being taken, what is the process used, for how long will the information be stored, can it be removed and who has access to it?

At the heart of this matter is the US regime. We are discussing combating terrorism, but there is such a thing as US terrorism and this issue needs to be considered. The standard of justice in the US is less than that enjoyed by our citizens. The American Civil Liberties Union has expressed grave concerns about the types of sample being maintained on databases, including the DNA of people who have not been convicted of anything yet are not allowed access to that information to prove their innocence. We only need to consider the example of Guantanamo Bay where more than 800 people have been detained during the past decade and of whom only six have been convicted. Is this the type of society with which we want to share our citizens' DNA? The death penalty exists in many parts of the US. On the last day of last year, Congress passed an Act that, for the first time, enshrined in the US legal system the right to indefinite detention without charge, which is in direct violation of *habeas corpus*.

This agreement is an affront to the civil liberties and human rights of Irish citizens and nothing is given in return. The idea that introducing measures such as this will somehow make the world safer is a sick joke. Instead of descending into paranoia and introducing measures that undermine civil liberties and attack human rights, the US would be better off addressing the conditions that breed alienation and young people's disenchantment, for example, poverty and US imperialism.

Question put:

The Dáil divided: Tá, 96; Níl, 24.

Tá

Barry, Tom.
 Breen, Pat.
 Broughan, Thomas P.
 Browne, John.
 Bruton, Richard.
 Burton, Joan.
 Buttimer, Jerry.
 Byrne, Catherine.
 Byrne, Eric.
 Calleary, Dara.
 Cannon, Ciarán.
 Coffey, Paudie.
 Collins, Áine.
 Conaghan, Michael.
 Conlan, Seán.
 Connaughton, Paul J.
 Conway, Ciara.
 Coonan, Noel.
 Corcoran Kennedy, Marcella.
 Costello, Joe.
 Creed, Michael.
 Creighton, Lucinda.
 Daly, Jim.
 Deasy, John.
 Deenihan, Jimmy.
 Deering, Pat.
 Doherty, Regina.
 Dooley, Timmy.
 Dowds, Robert.
 Doyle, Andrew.

English, Damien.
 Farrell, Alan.
 Feighan, Frank.
 Ferris, Anne.
 Fitzgerald, Frances.
 Griffin, Brendan.
 Harrington, Noel.
 Harris, Simon.
 Hayes, Tom.
 Heydon, Martin.
 Howlin, Brendan.
 Humphreys, Heather.
 Humphreys, Kevin.
 Keating, Derek.
 Keaveney, Colm.
 Kehoe, Paul.
 Kelleher, Billy.
 Kelly, Alan.
 Kenny, Seán.
 Kirk, Seamus.
 Kyne, Seán.
 Lawlor, Anthony.
 Lynch, Ciarán.
 Lynch, Kathleen.
 Lyons, John.
 Mathews, Peter.
 McCarthy, Michael.
 McConalogue, Charlie.
 McEntee, Shane.
 McGinley, Dinny.

Tá—*continued*

McGrath, Michael.
 McHugh, Joe.
 McLoughlin, Tony.
 McNamara, Michael.
 Mitchell O'Connor, Mary.
 Mulherin, Michelle.
 Murphy, Eoghan.
 Nash, Gerald.
 Naughten, Denis.
 Neville, Dan.
 Nolan, Derek.
 Noonan, Michael.
 Nulty, Patrick.
 Ó Cuív, Éamon.
 Ó Fearghaíl, Seán.
 Ó Ríordáin, Aodhán.
 O'Donnell, Kieran.
 O'Donovan, Patrick.

O'Mahony, John.
 O'Sullivan, Jan.
 Perry, John.
 Phelan, Ann.
 Phelan, John Paul.
 Quinn, Ruairí.
 Reilly, James.
 Shatter, Alan.
 Sherlock, Sean.
 Shortall, Róisín.
 Smith, Brendan.
 Spring, Arthur.
 Stagg, Emmet.
 Timmins, Billy.
 Tuffy, Joanna.
 Twomey, Liam.
 Walsh, Brian.
 White, Alex.

Níl

Adams, Gerry.
 Boyd Barrett, Richard.
 Colreavy, Michael.
 Crowe, Seán.
 Daly, Clare.
 Doherty, Pearse.
 Donnelly, Stephen S.
 Ellis, Dessie.
 Ferris, Martin.
 Flanagan, Luke 'Ming'.
 Healy-Rae, Michael.
 Mac Lochlainn, Pádraig.

McDonald, Mary Lou.
 McGrath, Finian.
 McGrath, Mattie.
 McLellan, Sandra.
 Murphy, Catherine.
 Ó Caoláin, Caoimhghín.
 Ó Snodaigh, Aengus.
 O'Brien, Jonathan.
 O'Sullivan, Maureen.
 Pringle, Thomas.
 Tóibín, Peadar.
 Wallace, Mick.

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

Question declared carried.

International Co-operation: Motion

Minister for Defence (Deputy Alan Shatter): I move:

That Dáil Éireann approves Ireland's accession to the memorandum of understanding concerning the principles for the establishment and operation of a battle group to be made available to the European Union in the second half of the year 2012.

In commending the motion to the House, I would like to briefly outline the background to Ireland's participation in the Austro-German battle group. The ambition of the EU is to be able to respond rapidly to emerging crises with the key objective being the continued development of the EU's Common Security and Defence Policy. The European Union has set itself the objective of being able "to respond with rapid and decisive action, applying a fully coherent approach to the whole spectrum of crisis management operations covered by the Treaty on the European Union".

A key element is the capability to deploy forces at high readiness, broadly based on what the EU defines as the battle groups concept. The purpose of this concept is to undertake

[Deputy Alan Shatter.]

operations known as the Petersberg Tasks, as outlined in the Amsterdam treaty and expanded upon by the Lisbon treaty. These include humanitarian and rescue tasks, peacekeeping and peacemaking, crisis management by combat forces, joint disarmament operations, conflict prevention and post-conflict stabilisation. These tasks are those that are already undertaken on UN mandated crisis management operations, combining the efforts of civilian and military personnel. They recognise the need for a comprehensive response to crises to prevent conflicts and for co-ordinated action in post-conflict situations to ensure stability. The purpose is to enable the Union to be more effective in contributing to international peace and security in support of the United Nations by putting in place a rapid response capability.

A central tenet of Irish foreign policy is to support the multilateral system of collective security represented by the United Nations. Ireland has worked to uphold the primacy of the Security Council in maintaining international peace and security. This commitment has found expression in Ireland's long-standing tradition of participation in UN peacekeeping operations. Participation in EU battle groups represents another means for Ireland to express its commitment to the United Nations and its principles.

At its meeting of 19 July 2010, the then Government formally approved the arrangements for Ireland's participation in the Austro-German Battle Group 2012, agreeing to provide a contingent of the Permanent Defence Force to participate in the battle group. The contribution will involve a Recce-ISTAR company, together with staff posts at the operational and force headquarters. Recce is an abbreviation of reconnaissance, while ISTAR is an acronym for intelligence, surveillance, target, acquisition and reconnaissance.

The total number of personnel involved in this battle group will be approximately 175, incorporating the Recce-ISTAR core of the battle group, a command and control function, a combat service support capability and a force protection capability. I must emphasise that this level of resource commitment will only arise should the battle group be deployed and should Ireland agree to participate. The commitment in terms of personnel, other than with a deployment, will be one officer.

The memorandum of understanding is an agreement between all the participants, namely, Germany, Austria, the Czech Republic, Ireland, Croatia and the Former Yugoslav Republic of Macedonia, FYROM, setting out principles in relation to the operation, deployment and management of the Austro-German battle group. There are various sections within the MOU covering areas such as definitions and reference documents; the consultation process; exercise, training, certification and operation of the battle group; financing, logistics, classified information, the status of forces and the issue of claims and liabilities; additional participation by other countries; timelines for coming into effect and termination of the MOU; and dispute resolution.

Most training will take place within the contributing member states' own borders. However, some level of joint training with other elements will be required. In this regard, Defence Forces personnel will participate in joint training exercises alongside other members of the battle group in preparation for the stand-by period. Exercise European Endeavour 2012, the main Austro-German Battle Group 2012 exercise, will be conducted in May 2012.

It is important to note that each participant retains the right to deploy or not to deploy its forces, irrespective of any EU decision. Equally, each participant retains the sovereign right to withdraw its contingent at any time. The command of each contingent remains under national control, with operational control delegated to the operational commander. As a result, any deployment of the Irish contribution will still be subject to a unanimous European Council

decision and then to the triple lock of a UN mandate and Government and Dáil approval. This will remain unaffected by Ireland signing the memorandum of understanding.

In 2007, following the approval of Dáil Éireann, Ireland previously acceded to a similar memorandum of understanding in relation to the Nordic battle group. While no battle group has deployed to date, the concept has yielded many benefits to the Defence Forces by improving interoperability with other member states' forces. It has also enabled the EU to develop its decision-making processes for rapid deployment on crisis management operations.

Ireland's active engagement in this area with the EU enhances our capacity to influence the ongoing development and evolution of the rapid response capacity of the EU, in particular reinforcing and acting as a strategic reserve for UN blue hat operations. Active engagement by Ireland across the range of activity under the Union's Common Security and Defence Policy means that Ireland can help shape this policy in a manner that is consistent with its values and its support of multilateralism and for the United Nations.

In summary, Ireland's participation supports the development of rapid deployment skills and capabilities within the Defence Forces, together with improved interoperability with like-minded states. It also enhances Ireland's credibility as a provider of professional and effective military forces for crisis management operations. Finally, it reinforces our standing and capacity to influence the ongoing development of the Union's Common Security and Defence Policy in support of international peace and security and the United Nations. I therefore commend the motion to the House.

Deputy Dara Calleary: Fianna Fáil will support this motion. While serving as Minister for Defence, both Deputy O'Dea and former Deputy Killeen invested much of their time in this initiative. I am sure Members will join me in extending sympathies to Deputy O'Dea on the death of his mother. The most intensive discussion during the relevant meeting of the Select Committee on Justice, Defence and Equality was on the use of the term, "battle groups". It is a highly unfortunate term given the role envisaged for these operations. The danger, with the passage of time, is forgetting the reason such functions were given to the European Union. It was because of its complete ineffectiveness at the time of the difficulties in the Balkans, which possibly was the time of the greatest shame for the European Union project. As time goes on, people forget that shame and forget the various proclamations to the effect this could never happen again. As the Minister has stated, this proposal is subject to the triple lock and, consequently, a decision on any engagement must come before the Cabinet and before this House again. Given this level of protection and given the circumstances within which these operations were envisaged, Fianna Fáil has no difficulty in supporting the motion.

Deputy Pádraig Mac Lochlainn: It is only fair to begin by reiterating what Sinn Féin Members have stated previously in this House regarding the proud record of peacekeeping enjoyed by the Defence Forces. As with all deployments of personnel overseas, the triple lock mechanism applies. The last deployment subject to the triple lock mechanism was for a peacekeeping mission to the Lebanon and that deployment was supported by all parties in this House. I make this point lest anyone think there are Members who are opposed to overseas deployments in all circumstances, as this clearly is not the case. However, Sinn Féin has grave concerns regarding the possible deployment of Defence Forces personnel under the battle group arrangements. Sinn Féin considers battle groups to be more about military powers in Europe wishing to push Europe in a certain direction militarily than about any sense of responsibility to peacekeeping.

The term, "battle group" must be addressed. The terminology is important and the Minister already has recognised this fact during the select committee discussion on the motion. I have no doubt that some of our so-called partners in this battle group, such as Germany, for example,

[Deputy Pádraig Mac Lochlainn.]

and others within the wider European Union seek the formation of a European army. Angela Merkel has repeatedly stated her desire to see the establishment of a European Union-wide army. This is the reason, when I hear terminology such as “battle groups”, I suspect it may be perceived by those who favour the creation of a European Union-wide army to be a first step towards this goal.

Sinn Féin’s other major objection pertains to the cost associated with these battle groups. The stand-by cost of €380,000 may not appear excessive in the context of the overall defence budget. However, it comprises a significant amount at a time when the State is closing Army barracks, reducing personnel numbers and when the financial cost of serving in the Defence Forces is rising due to rising transport costs associated with barracks closures. This is not to mention the additional cost of €10.7 million that would be incurred were we ever obliged to deploy personnel. While I acknowledge Ireland would be able to recoup most of these costs from the European Union, even were it obliged to bear one fifth of the cost, that would mean finding approximately €2 million from the defence budget. Ireland simply could not afford to deploy troops, which begs the question as to the reason we are so fixated on being part of the battle groups. While Sinn Féin would oppose this motion for financial reasons alone, far more importantly we will oppose it because we consider it to threaten the neutrality the State has maintained proudly since its foundation.

Deputy Richard Boyd Barrett: As the present Government and its predecessor have sought to justify Ireland’s participation in these battle groups, they try to present the case as though Ireland is doing something that complies with the military neutrality for which this State stands and that we are merely involving ourselves in what essentially are benign humanitarian undertakings and that there is nothing to worry about. However, as already has been mentioned, the game is given away by the term “battle groups”. The Government can try to put whatever spin it wishes on that but it speaks for itself. Battle groups are battle groups and they are being prepared, trained and equipped for battle. Moreover, over the years, those who have promoted the increasing militarisation of the European Union and the development of what is an embryonic European army have been clear in some of their statements as to what is the real agenda. I believe it was Romano Prodi who spoke of the need to be able to fight the resource wars of the 21st century. It does not get more explicit than that. Even the Minister’s former party leader referred to the new tasks these battle groups would be allowed to undertake and pointed to the fact that peacemaking and crisis management by combat forces constitutes war by another name. If one makes peace using military force, one is making war. All sides in a war claim their intent is peace but pursuing peace through military means is peace on one’s own terms and is another name for war. This is what these battle groups are about and this is what the major promoters of the battle groups envisage as the ultimate intention.

If one considers the European Defence Agency’s vision documents and various position papers over the years, which are all part of the growing military-industrial complex that is being promoted and pushed within the European Union, they also are highly explicit about what it considers to be a role for the European military forces and——

Deputy Alan Shatter: The Deputy lives in an Alice in Wonderland world. It is extraordinary.

Deputy Richard Boyd Barrett: The Minister obviously has not read the documents to which I refer.

Acting Chairman (Deputy Joanna Tuffy): Sorry, Minister; one speaker at a time.

Deputy Richard Boyd Barrett: Has the Minister read the European Defence Agency's vision documents?

Deputy Alan Shatter: The Deputy is amazingly silent on the slaughter in Syria.

Deputy Richard Boyd Barrett: Has the Minister read them?

Deputy Alan Shatter: He has had nothing to say about that for months.

Acting Chairman (Deputy Joanna Tuffy): The Minister should allow the Deputy to continue.

Deputy Richard Boyd Barrett: No, the Minister is——

Deputy Alan Shatter: He is merely paranoid about Europe and America.

Deputy Richard Boyd Barrett: The Minister is totally wrong there. I am 100% on the side of the people fighting for democracy against the brutal Assad dictatorship and have joined with——

Deputy Alan Shatter: They are not mentioned on the Irish Anti-War Movement's website.

Acting Chairman (Deputy Joanna Tuffy): The Minister should allow the Deputy to continue.

Deputy Richard Boyd Barrett: The Minister just cannot resist it.

Deputy Alan Shatter: I am sure they are delighted the Deputy is on their side.

Deputy Richard Boyd Barrett: Funnily enough, only the other week we had a meeting at Liberty Hall, with Syrians involved, talking about how we supported the Syrian uprising against the Assad dictatorship.

Deputy Pádraig Mac Lochlainn: Minister, what about the Palestinians?

Deputy Richard Boyd Barrett: The difference is that we are consistent in our support of the democratic and revolutionary forces across the Middle East whereas the Minister is selective. While he claims he supports them in Syria, he is not so quick to support them in Palestine or in Bahrain, and for that matter he is not so quick to say anything about how the generals are crushing the democratic movement in Egypt right now.

Deputy Pádraig Mac Lochlainn: Hear, hear.

Deputy Richard Boyd Barrett: The Minister is selective because the real agenda behind his interventions in such situations, as well as the interventions of the European Union and United States, is to pursue their interests and their agenda and not the interest of the people of the aforementioned countries. This is what is of concern to me.

In addition, the financial cost of this measure is extraordinary. The Minister is closing down the barracks of soldiers and their families in the face of significant opposition from those soldiers and their families. He states it is necessary to do this for financial reasons because of the troika and all the rest, but yet we can afford to spend more. When Ireland participated in the Nordic battle group, I understand it cost €850 million and involved 100 soldiers.

Deputy Alan Shatter: From where did the Deputy get that figure?

Deputy Richard Boyd Barrett: I apologise; the cost was €850,000.

Deputy Alan Shatter: Does the Deputy think we should not participate in peacekeeping measures?

Deputy Richard Boyd Barrett: I do not believe we should participate in battle groups.

Deputy Alan Shatter: He is opposed to peacekeeping measures.

Deputy Richard Boyd Barrett: I believe Ireland should participate in genuine humanitarian missions but battle groups are not designed or equipped for this.

Deputy Alan Shatter: That is all they are for.

Acting Chairman (Deputy Joanna Tuffy): The Deputy's time is exhausted.

Deputy Richard Boyd Barrett: Will the Minister inform the House with regard to the equipment the battle group will be using? Will there be tanks involved? If so, will they be used for humanitarian purposes? How much is our involvement with the battle group going to cost? From where will the extra money come? Barracks in this country are being closed and it is now intended to deploy an additional 75 soldiers——

Deputy Alan Shatter: Does the Deputy believe that members of the Defence Forces involved in peacekeeping missions in Lebanon and elsewhere should use water pistols?

Deputy Richard Boyd Barrett: ——to serve with the new European army, which the Minister obviously supports.

Question put:

The Dáil divided: Tá, 96; Níl, 23.

Tá

Barry, Tom.
Breen, Pat.
Broughan, Thomas P.
Bruton, Richard.
Burton, Joan.
Buttimer, Jerry.
Byrne, Catherine.
Byrne, Eric.
Calleary, Dara.
Cannon, Ciarán.
Coffey, Paudie.
Collins, Áine.
Conaghan, Michael.
Conlan, Seán.
Connaughton, Paul J.
Conway, Ciara.
Coonan, Noel.
Corcoran Kennedy, Marcella.
Costello, Joe.
Coveney, Simon.
Creed, Michael.
Daly, Jim.
Deasy, John.
Deenihan, Jimmy.
Deering, Pat.
Doherty, Regina.
Donohoe, Paschal.
Dooley, Timmy.
Dowds, Robert.

Doyle, Andrew.
English, Damien.
Farrell, Alan.
Feighan, Frank.
Ferris, Anne.
Fitzgerald, Frances.
Grealish, Noel.
Griffin, Brendan.
Harrington, Noel.
Harris, Simon.
Hayes, Tom.
Heydon, Martin.
Howlin, Brendan.
Humphreys, Heather.
Humphreys, Kevin.
Keating, Derek.
Keaveney, Colm.
Kehoe, Paul.
Kelleher, Billy.
Kelly, Alan.
Kenny, Seán.
Kirk, Seamus.
Kyne, Seán.
Lawlor, Anthony.
Lynch, Ciarán.
Lynch, Kathleen.
Lyons, John.
McCarthy, Michael.
McConalogue, Charlie.

Tá—*continued*

McEntee, Shane.
McGinley, Dinny.
McGrath, Michael.
McHugh, Joe.
McLoughlin, Tony.
McNamara, Michael.
Martin, Mícheál.
Mathews, Peter.
Mitchell O'Connor, Mary.
Mulherin, Michelle.
Murphy, Eoghan.
Nash, Gerald.
Naughten, Denis.
Neville, Dan.
Nolan, Derek.
Noonan, Michael.
Ó Cuív, Éamon.
Ó Fearghaíl, Seán.
Ó Ríordáin, Aodhán.

O'Donnell, Kieran.
O'Donovan, Patrick.
O'Mahony, John.
O'Sullivan, Jan.
Perry, John.
Phelan, Ann.
Phelan, John Paul.
Reilly, James.
Shatter, Alan.
Sherlock, Sean.
Shortall, Róisín.
Smith, Brendan.
Spring, Arthur.
Stagg, Emmet.
Timmins, Billy.
Tuffy, Joanna.
Twomey, Liam.
Walsh, Brian.
White, Alex.

Nil

Adams, Gerry.
Boyd Barrett, Richard.
Colreavy, Michael.
Crowe, Seán.
Daly, Clare.
Doherty, Pearse.
Ellis, Dessie.
Ferris, Martin.
Flanagan, Luke 'Ming'.
Healy-Rae, Michael.
Mac Lochlainn, Pádraig.
McDonald, Mary Lou.

McGrath, Finian.
McGrath, Mattie.
McLellan, Sandra.
Nulty, Patrick.
Ó Caoláin, Caoimhghín.
Ó Snodaigh, Aengus.
O'Brien, Jonathan.
O'Sullivan, Maureen.
Pringle, Thomas.
Tóibín, Peadar.
Wallace, Mick.

Tellers: Tá, Deputies Emmet Stagg and Paul Kehoe; Níl, Deputies Aengus Ó Snodaigh and Richard Boyd Barrett.

Question declared carried.

Bretton Woods Agreements (Amendment) (No. 2) Bill 2011: Order for Report Stage

Minister for Finance (Deputy Michael Noonan): I move: "That Report Stage be taken now."

Question put and agreed to.

Bretton Woods Agreements (Amendment) (No. 2) Bill 2011: Report and Final Stages

An Leas-Cheann Comhairle: As no amendments have been tabled we will proceed to Fifth Stage—

Deputy Richard Boyd Barrett: There is an amendment.

An Leas-Cheann Comhairle: The Deputy's amendment is out of order on two grounds.

Deputy Richard Boyd Barrett: What? Since when? Will somebody explain this?

An Leas-Cheann Comhairle: Yes, Deputy. Briefly, the first reason is that in accordance with the ruling of the Chair No. 138 from the third edition of 2006, an international agreement

[An Leas-Cheann Comhairle.]

scheduled to a Bill is open to rejection by the House but because there is at least one other party to the agreement it is not subject to amendment. The second reason is the amendment seeks to negate the object of the Bill and therefore must be ruled out of order as being in conflict with the principle of the Bill as read a Second Time.

Deputy Richard Boyd Barrett: May I—

An Leas-Cheann Comhairle: No, it is out of order.

Deputy Richard Boyd Barrett: On a point of order—

An Leas-Cheann Comhairle: The Deputy asked me a question and I gave him the two reasons for ruling the amendment out of order.

Deputy Richard Boyd Barrett: I just want clarification on what the Leas-Cheann Comhairle said. It is a regular occurrence in the Chamber that the Government deletes the entirety of a Private Members' motion and replaces it with something that completely negates the motion as tabled by the Opposition and this is allowed consistently. However, in this case we are being told one is not allowed do this. I ask for clarification on where the consistency is in the application of this rule.

An Leas-Cheann Comhairle: The Deputy is referring to Private Members' business but this is legislation.

Deputy Richard Boyd Barrett: But—

An Leas-Cheann Comhairle: That is the position. I will now proceed—

Deputy Richard Boyd Barrett: On a point of order, I also wish to point out the thrust of the Bill purports to be some level of democratic reform of the institution of the IMF. My amendment proposes to achieve exactly the same end, namely, democratic reform of the IMF, through different means. It replaces the various measures proposed in the draft Bill with another measure designed precisely to achieve democratic reform of the IMF. Why, therefore, is it out of order?

An Leas-Cheann Comhairle: The Deputy can make this point on Fifth Stage. We will now proceed to Fifth Stage.

Deputy Richard Boyd Barrett: I just want an explanation as why it is out of order.

An Leas-Cheann Comhairle: I have already explained it.

Bill received for final consideration.

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

An Leas-Cheann Comhairle: Does Deputy Boyd Barrett wish to make a point on Fifth Stage?

Deputy Richard Boyd Barrett: The Government, in my opinion, has been extremely dishonest in how it has presented the Bill. On Second and Committee Stages and whenever it has commented on the Bill, it has suggested it is purely a technical Bill. It is not a technical Bill. Its measures arise out of an intensely political response by the IMF to a crisis of legitimacy it has suffered since its disastrous policies in the Asian crisis at the end of the 1990s produced a huge reaction against the IMF by many of the Asian countries. As it had done in many Third

World countries previously, the IMF slavishly enforced neoliberal dogma as a response to the Asian crisis, propelling Asia into a very serious recession by imposing its economic shock therapy on Asian countries, specifically lifting capital controls leading to a massive flight of money out of Asia which turned a crisis into a deep recession. The result was that many of those Asian countries boycotted the IMF, and the IMF was on the brink of falling apart. That produced a political rather than a technical debate within the IMF on the need to rebuild its legitimacy and credibility on the international stage or face extinction. There was a long period of debate, and gatherings took place in which the way they intended to address the deeply undemocratic nature of the IMF and its failing legitimacy was discussed. The thrust of the criticisms of the IMF at that time was that it was dominated entirely by the United States, the big European powers and the big industrial powers in the world such that the United States, for example, with 17% of the votes within the IMF, could block any proposal even if it was supported by all the remaining states because 85% of votes is needed to get a proposal through in the IMF. That has not changed.

This Bill, and these so-called reforms, purport to be recalibrating the IMF in a reformist or more democratic direction but it leaves the US veto intact and a situation where the 27 industrialised nations still have more than 60% of the votes in the IMF and completely dominate it. That contrasts with the poorest countries that far out-number the industrialised countries and have far bigger populations. In many cases their resources fuel the economy of the industrialised nations but are plundered in many cases by those industrial nations with the assistance of the IMF enforcing its structural adjustment programmes and its dogma about gearing up economies for export in the global markets that have devastated those countries. Their dominance, which is due to the undemocratic governance structures of the IMF, has meant they have been able to ram that stuff down the throats of African, Latin American and Asian countries. There was a huge reaction against that because of the Asian crisis. That was most dramatically seen through the 1990s and the early 2000s in the big demonstrations in Seattle and the anti-globalisation movement, which caused a major crisis of legitimacy for the IMF, and this is what they come up with — nothing.

Our Government is rubber stamping what is a con job, and it is not just left wingers or activists who are saying that. The Brookings Institution, a right wing think tank in the United States, described these so-called reforms as follows:

a decades-old building that is in need of major repairs and renovation. The plumbing is ancient and needs updating. The roof is leaking in places. Termites have been found in the joists in the basement. Yet the building owners recommend, as a first step in renovation, merely a fresh coat of paint in the entrance hallway and the fixing of some broken glass panes in the windows facing the street.

In other words, it is a purely cosmetic exercise with no attempt to address the substantial and deep democratic deficit within the IMF that allows it to be dominated by the United States and the major powers.

It is also worth putting on record again what Joseph Stiglitz, the Nobel prize winning economist, said about the IMF. He stated:

When the IMF arrives in a country, they are interested in only one thing. How do we make sure the banks and financial institutions are paid? ? It is the IMF that keeps the [financial] speculators in business. They're not interested in development, or what helps a country to get out of poverty.

That is what Stiglitz said and that is the reality. Our Government is giving succour to this institution and is trying to give it the stamp of renewed legitimacy precisely at a time when its entire structures and *modus operandi* should be challenged in the most fundamental way.

[Deputy Richard Boyd Barrett.]

In terms of the IMF's policies and the undemocratic nature of that institution, which remains unchanged, it is now trying to apply its witchcraft in this country and in Greece, with devastating consequences. This is a time when we should have a serious debate about the nature of the IMF. Of course we need a global financial institution that is genuinely acting in the interests of all states and the global economy but that is not what the IMF is; it is a creature of the United States and the big industrial powers which are trying to gain advantage from the misery of others. That is the reason it is vitally important to oppose this Bill and call for real democratic reform of the IMF and the other global financial institutions.

Deputy Pearse Doherty: I outlined my concerns and those of my party regarding the reform, theoretically, of the IMF that is supposed to be happening but is not happening. What we have before us is legislation that will not make any major changes. It removes the fact that five of the larger countries in the IMF can appoint members to the executive board, and they will all be directly elected. On that point Sinn Féin will not stand in the way of this legislation but we should not pretend, and the previous speaker hit the nail on the head in this respect, that this will lead to any real change or governance reform within the IMF. The wealthiest countries in the IMF represent 15% of the membership but it has 60% of the voting rights within the IMF. That is the issue that must be addressed if we are to have credibility for that organisation and real democratisation of the IMF.

Would any party in this House support the concept, for example, of France and Germany, with 15% of the population of the European Union, having 60% of the votes? No party in this House would tolerate such a system so why should we ask the less well off countries to accept that? The IMF is undemocratic in its nature and is fundamentally flawed in terms of its governance. This legislation is about window dressing but at the same time the legislation is before us. Does it make it fairer in terms of the appointment of the executive board? Of course it does. It removes some of the power of the five major countries in the IMF but that is not where the game should be. There must be proper fundamental reform in regard to the IMF and the best way of doing that is for Ireland to start batting on behalf of other countries that are being penalised as a result of the lack of democracy within the IMF. We should make that clear. During this debate on the Bretton Woods agreement we have not had a Government spokesperson taking a principled stand on this issue. Traditionally, the Irish people and previous Irish Governments have stood up for less well off countries. Unfortunately, that was a missed opportunity on the part of this Government. I accept the legislation addresses some small issues in terms of appointment of board members and so on but this debate could have been used as an opportunity to signal Ireland's intent that there must be proper, serious structural reform in terms of democracy within the IMF instead of the type of window dressing we have here, which is marginally better but misses the picture.

Minister for Finance (Deputy Michael Noonan): I thank all Deputies who contributed to this debate. I would like to reply in the first instance to Deputy Boyd Barrett on the points he has just made.

The context for this Bill is the decision by the IMF governors in 2010 to propose wide-ranging governance reforms including increased representation for emerging markets and developing countries. The reforms are also designed to protect the position of smaller, poorer countries.

The Bill provides for acceptance of the amendment to the IMF Articles on the reform of the executive board. The amendment is designed to make the board more representative by making it an all elected body. This will also facilitate better representation of emerging markets. Taken together with the earlier reforms agreed in 2008, the voting shares of the emerging market and developing countries as a group will increase by well over 5%.

The change in voting power is undoubtedly an important step in the right direction. It is the outcome of lengthy discussions with the full IMF membership and is worthy of support. The quota adjustments and the reform of the board are parts of an overall package agreed by the board of governors in December 2010.

Other elements of the 2010 reforms include a review of the quota formula, which is due to be completed by January 2013, and a further review of quotas by January 2014. The 2010 reforms also include a commitment to reduce by two the number of executive directors representing advanced European countries. These measures will continue the process of adjusting quota shares to reflect shifts in the global economy and are likely to result in further increases in the share of emerging market and developing countries as a whole.

The increase in Ireland's quota at the IMF will result in a reduction in the cost of our borrowings from the fund. The Central Bank has estimated that the overall impact of the 2008 and 2010 quota changes, when effective, will be a reduction of the order of 100 basis points in the weighted average interest rate margin on the borrowings. This is a very welcome development and the Bill supports this process.

When the amendment has been accepted by the requisite majority of IMF members, the related quota increases will come into effect. This will be a very welcome development for Ireland and will result in a reduction in the cost of our borrowings from the fund. The quota increase will also assist in strengthening our representation and influence in the IMF.

Some Deputies opposing the Bill questioned the legitimacy of the IMF. I do not share these views. The Bill will assist the ongoing process of making the IMF more representative of the world as it stands today and will help strengthen the position of emerging markets in developing countries within the institution.

I thank Deputies for their co-operation in advancing the Bill.

Question put.

Deputies: Vótáil.

An Leas-Cheann Comhairle: Will the Deputies claiming a division please rise?

Deputies Richard Boyd Barrett, Clare Daly, Luke 'Ming' Flanagan, Finian McGrath, Mattie McGrath, Maureen O'Sullivan, Thomas Pringle and Mick Wallace rose.

An Leas-Cheann Comhairle: As fewer than ten Members have risen I declare the question carried.

Question declared carried.

(Interruptions).

An Leas-Cheann Comhairle: Order, please. The Bill will now be sent to Seanad Éireann.

Deputy Richard Boyd Barrett: On a point of order, will the names of those Members who opposed the Bill be recorded?

An Leas-Cheann Comhairle: Yes.

Private Members' Business**Community Employment Schemes: Motion**

Deputy Aengus Ó Snodaigh: I move:

That Dáil Éireann:

- calls on the Government to immediately reverse the cut of 66% to the community employment (CE) schemes' training and materials budget and to immediately reinstate the training and materials budget to 2011 levels;
- notes that:
 - the proposed Department of Social Protection review is creating confusion and frustration; and
 - these budget cuts will affect some of the most vulnerable in our society and will force CE schemes to close;
- recognises the:
 - essential services provided by CE schemes to the public and their participants;
 - important role CE schemes play in providing training to the long-term unemployed; and
 - key role special CE schemes play in providing community-based drug rehabilitation;
- acknowledges the important role CE schemes have played in providing child care facilities and assisting people back into education;
- condemns the abolition of concurrent payments and the CE qualified child increase paid to lone parents on CE;
- further notes that these cuts make participation in CE unaffordable for most lone parents, thereby threatening the community child care infrastructure, and calls on the Government to reverse these cuts;
- further recognises the important role CE schemes have played in providing training and education to lone parents; and
- calls on the Government to engage fully with CE schemes and their representatives, with the view to extending the CE schemes by increasing the number of CE places available, including special CE schemes, and enhancing the training available to participants.

I wish to share time with Deputies Caoimhghín Ó Caoláin, Seán Crowe, Mary Lou McDonald and Martin Ferris, in that order.

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

Deputy Aengus Ó Snodaigh: Tá rún rí-thábhachtach curtha os ár gcomhair inniu ag Sinn Féin. Déanann sé déileáil le ceist atá tábhachtach do a lán daoine, agus ní hamháin iad siúd atá gafa leis na scéimeanna fostaíochta pobail. Tá a lán den phobal atá ag brath ar na seirbhísí

a chuireann na scéimanna ar fáil don phobal áitiúil. Muna ndéanann an Rialtas athrú cuí ar an chinneadh a ghlac sé i mí na Nollag beimid níos boichte as mar sochaí.

Táim ag impí ar an Aire agus ar a cúlbinseoirí tacú leis an rún seo. Níl mé ag iarraidh uirthi coimre a dhéanamh ar an chinneadh a rinneadh i mí na Nollag ach athrú iomlán a dhéanamh air, infheistíocht cheart a dhéanamh ins an gcóras, an t-airgead a sciopadh ós na scéimeanna a chur ar ais iontu agus iad a dhéanamh níos éifeachtaí ná mar atá siad faoi láthair.

They say a society should be judged by how it treats its most vulnerable members. A Government can be judged by what it chooses to cut or support, and this Government's priorities are becoming clearer by the day. We are focusing in this debate on the cuts to community employment schemes, but the Government has already chosen to cut funding to disadvantaged schools, to make a host of cuts to social welfare payments and to send front-line services into disarray with its ill-conceived and ill-managed early retirement scheme.

Two weeks ago, when I debated this issue with the Minister, I charged that after she had decided on the cuts in the budget, the review of those cuts was announced solely for the purpose of allowing her backbenchers to give the impression that they were active in highlighting the dangers of this attack on communities. She failed to reject that charge, which is confirmation that all this reviewing of the community employment cuts is intended simply as respite for her backbenchers and is not a genuine row-back from her mistake, and I believe it is a mistake.

If further evidence were needed to demonstrate that the outcome of the ongoing review was predetermined, it came in the form of a letter issued by the Minister on 3 February. The note enclosed with that letter stated: "It is essential that the review be completed promptly ... so that the Department has the time remaining in 2012 to achieve the level of savings agreed in the Budget." That sounds like a review for review's sake, but with a predetermined outcome of tearing the heart out of CE schemes. It is bureaucracy for bureaucracy's sake, because the note goes on to outline that the human and financial cost of the administration of funding to CE schemes is about to multiply no end. Under the Minister's plans, in future, rather than having *per capita* grants, every penny will be argued for with the Department case by case. I suspect the Department is hoping that individual schemes will not have the time or capacity to do this and will simply close up shop.

How much money is the Government cutting from the CE budget in total? The Minister has been keen to emphasise a figure of €27.5 million, but this is a mere fraction of the actual cuts being imposed on CE schemes and their participants. The 66% reduction in the training and materials allowance is just one of the cuts being pursued. Add to this the abolition of concurrent payments, which after three years represent an annual cut of €128 million, and the cuts to allowances for child dependents, and the total is greater again. What is the real figure? Is it €27.5 million, €128 million or closer to €200 million?

Many community employment schemes have developed in recent years to plug the gaping holes in public service provision left by successive Governments, about which there is no argument. The schemes were welcomed because they provided services for local communities. These services included child care, after-school clubs and meals on wheels, as well as providing the community facility staff required to maintain our basic community facilities. One of the key programmes often forgotten when the discussing community employment scheme is the special community employment programme aimed at addressing the peculiar and challenging problems faced by those in recovery from addiction. The Government is even undermining this service safety net, while at the same time failing to introduce public services to address the gap if and when community employment schemes fail because of the recent cut.

Nobody denies the value of the community employment scheme to communities. I take it as a given that all Members agree on this; I have not heard anybody say the scheme has not played an important role in their community. If that is a given, why cut it in such a drastic

[Deputy Aengus Ó Snodaigh.]

fashion? Later in this debate Government Deputies will laud the programme, yet it is likely they will vote against the motion tomorrow night.

The Minister appears to want to measure community employment schemes and make funding conditional on financial factors alone. In announcing the review she promised not to close schemes that could prove they were financially viable. A cost-benefit analysis cannot easily be conducted for some projects. For some schemes their financial viability or otherwise should not even be an issue. Some are intrinsically valuable and one cannot put a cost on them, for example, projects offering recreational opportunities to people with disabilities. One such project was under major threat of closure only a few weeks ago because of the cut in its training and materials allowance. We should fund such projects because it is the right thing to do, not close them on the basis of a short-sighted economic rationale. Yes, they should be evaluated but not solely on a financial basis.

If the Government parties are determined to deal only in economics, I ask them to consider the consequential cost of cutting community employment schemes. If community employment and other community programmes are cut, there is the consequential cost of increased imprisonment and crime, the effect some closures will have on mental health services, the cost of a lifetime on social welfare that faces many people who previously found a safety net, a way out and social inclusion based on their participation in community employment schemes, and the cost of lengthier dole queues because people cannot afford child care. The community child care centres will be in danger of collapse, a point to which I will return. There is also the issue of isolation both for people living in rural areas and for people with disabilities who will suffer social isolation if they cannot participate in community employment schemes. These schemes were successful in the past, but they could have been better organised, financed and resourced to provide greater outcomes for the community, the participants and society in general.

By voting for the budget cuts targeted at community employment schemes the Labour Party and Fine Gael are undermining the fabric of Irish society in more ways than one. They are undermining the overstretched, underfunded, yet efficient community infrastructure. They are undermining their own activation agenda, as well as recovery and rehabilitation. They are condemning lone parents and their children to long-term social welfare dependency. The Government claims to be all about activation, but it is actively undermining one of the main activation planks. The community employment scheme must be treated and fully funded as an integral part of a successful activation agenda. It is not just about the progression of the community employment scheme participants themselves; the scheme also enables the activation of others. The Minister says she wants people on dole queues to actively engage and avail of options to keep them close to the labour market and get back to work as soon as possible. For many on the dole their sole meaningful advice is actually supplied by community employment scheme participants trained by the Irish National Organisation of the Unemployed and operating out of community resource centres and so forth.

Accessing training, education and work is also contingent on the availability of affordable child care and the community employment scheme is the bedrock of community child care. Community child care services are in serious jeopardy as a consequence of the Government's cuts; by extension, the entire activation agenda is in jeopardy. It costs more than €500 a year to bring someone to the FETAC level 5 required. Does the Minister want children to be minded by unqualified persons? Obviously, she does not. However, this requires investment.

Community child care services also rely heavily on lone parents who staff centres. However, by abolishing concurrent payments and the community employment qualified child increase the Minister is making participation in the programme unaffordable for lone parents. I have been speaking with community employment scheme supervisors and other organisations and I

am aware that already they cannot fill posts in child care services as a consequence of recent cuts. As one person put it to me in an email last week:

the eligibility criteria are rigid in such a way that [CE] has become “Sheltered Employment Scheme” as the majority of the participants joining schemes do so because they are unable to access the Labour Market; this is because they may have health issues (mental and physical), education difficulties (learning difficulties or early school leavers), social issues, addiction issues, lone parents, carers etc... The review of course is going to prove that CE does not progress participants as the vast majority of participants who want to come onto CE to progress are excluded.

There should be two forms of community employment scheme — one focused on progression into the labour market and the other focused on community-based service provision. The Government must start creating jobs, not shirking its responsibilities by saying it is its role to create an environment in which jobs can be created by others. It must create jobs, not leave it to others. Certainly, the environment is important, but given that there are already 440,000 on the live register, the Government must create some jobs. Expanding the community employment scheme should be part of the job creation programme, given that, as we heard last week, there are 26 people unemployed for every vacancy in the State.

I had intended to say a great deal more about other aspects of the community employment scheme, but I wish to focus on lone parents. The Government’s first budget placed the burden of recovery squarely and unfairly on the shoulders of social welfare recipients. Within this it targeted lone parents and people with disabilities in a particularly vicious manner. Following a public outcry and pressure, it paused some of the cuts to disability allowance. However, lone parents have been hit very badly. The community employment scheme was one of the few activation measures open to lone parents, but the associated social welfare cuts now make it unaffordable and are closing it off to them. Likewise, special rules designed to make work pay for lone parents have been targeted by the Government; for example, the earnings disregard has been drastically reduced, while the transition payment has been abolished. So much for its activation measures. A total of 60% of lone parents are in employment of some form, but the cuts will force them back into full welfare dependency. The Minister is reinstating old unemployment traps, and she knows it well. She is condemning lone parents and their children to poverty and isolation.

I urge the Members of the House to support this motion and reverse, not review, the cut announced in December.

Deputy Caoimhghín Ó Caoláin: The cuts to community employment, CE, schemes in the 2012 budget were dressed up by the Minister for Social Protection and her colleagues as some form of enhancement of training opportunities and employment prospects for the jobless. Of course, they are nothing of the kind. They are spending cuts, plain and simple.

Why did the Minister announce a review of the schemes in the wake of the budget decision to cut? It was because the Labour Party came under enormous pressure, and rightly so, from communities across the State. Most reasonable people would have expected a review and then a decision about reorganisation and funding if such were necessary. Instead, we had the slashing of funding in the budget and a face-saving announcement of a review once people had realised what was about to be done to these schemes. The Minister herself admitted last week on the floor of this House that: “There is no shortage of reviews of community employment, of which there have been a great many right up to the time when community employment schemes joined my Department.” The latest review is only a temporary reprieve, as the Minister herself admitted in the Dáil last week when she said that no CE scheme will be forced to close as a result of the reductions in training and material grants, “pending the completion of this review

[Deputy Caoimhghín Ó Caoláin.]

at the end of March". That is some certainty and assurance for people in community employment.

As the Sinn Féin motion states, the sequence of events since the budget has created confusion and frustration. Deputies of all opinion, if they are in touch with their communities, know that is the case. Initially, the focus was on the 66% cuts to the FÁS materials and training budget for CE schemes. It is this element that the Minister had to place under review because of the absolutely justified response to such a massive cut in the budgets of CE schemes.

Less attention was paid initially to the other, and very insidious, element of the cut. At the end of January, CE schemes were informed that new participants in CE schemes will not be able to claim another social welfare payment simultaneously. This includes one-parent family payment, deserted wife's benefit, widow's or widower's pension, illness benefit, disability allowance, invalidity pension and blind pension. From 20 February, the CE rate of payment for those who are also on one-parent family payment, deserted wife's benefit or widow's or widower's pension will be reduced to €108 and there will be no increases for qualified children.

The materials and training budget cuts are bad enough, but the related social protection payment cuts will be especially damaging. The participants in one project, who made representations to us, put it very well when they said:

The budget cuts from FÁS, if implemented, will damage our programme, but the changes notified on 26 January 2012 have the potential, over a two year period, of possibly closing the programme down. This prediction is based on our current position, where we have 18 adult recovering drug misusers on our CE programme, 14 on disability or illness benefit, two on one-parent family payment and two others, and on the fact that our programme attracts a high proportion of people on disability or illness benefit.

This is a prime example of the type of special CE programme that would be worst affected by these cuts. In this case, the programme plays an important role in recovery and rehabilitation for former misusers of drugs. Not only does it have a role in serving the community and providing training and employment, it also has an important public health function. This is but one example of many others across the State.

Has the Minister even considered the effect of these cuts on community child care? This is one of the range of services affected which provide vital supports for people requiring care, such as meals on wheels for incapacitated older people and after-school projects for children.

These cuts are hitting the most vulnerable in our society. Are we to have a situation where, at the end of March, the Fine Gael-Labour Government approves the hand-over of €3.1 billion to Anglo Irish Bank bondholders and, at the same time, confirms these CE cuts? That is a prospect, most certainly. Is that what people voted for when they voted the Government into office, most especially when they voted Fine Gael into office?

I acknowledge that the only Government representatives in the Chamber for this debate are Labour Party Deputies. I know that each of them cares about this issue. I urge the Minister to allow the situation to maintain, to put these cuts aside entirely, despite the review, and accept the Sinn Féin motion. It represents the views of the overwhelming number of her elected colleagues in this Chamber.

Deputy Seán Crowe: The Minister may pontificate about not touching community employment schemes but she is fooling no one. The significant reductions in CE payments will jeopardise the future viability of community employment workers, their schemes and the communities in which they operate. This has nothing to do with building or constructing a fairer or more

just society. These cuts to CE schemes will impact on the employment prospects of thousands of people who want to move from welfare to work.

There can be no justification for the Government slashing funding for materials and training grants for schemes that provide a range of essential services to children, the elderly, the disabled and disadvantaged. What was announced in December will amount to a €1,500 cut per participant to just €500 for next year, leaving many schemes struggling to survive. As Elaine Harvey, co-ordinator of the local employment service for Galway City Partnership recently stated:

This is the money that provides the heat and the light, the telephone, all of the stuff that lets the CE scheme run and provide services for our communities. Schemes already have to raise their own money for rent of premises. These cuts are a step too far. They are a direct attack on communities and their supports.

CE schemes play an important role in driving communities forward yet they are in danger of being ground to a halt.

I also note that attempts by sponsors and supervisors to get Department officials to put into writing the names of participants that will be affected by these cuts, their dates of birth, the PPS numbers of the participants, their current rate of payment and the deduction to be made in their wages has been ignored. Can the Minister explain why the request for this information has met with a flat refusal by the former management of FÁS? Is this because the Minister is protecting herself from these cuts? These cuts will cut people's salaries at the end of this month.

In a cruel change of policy, the Minister for Public Expenditure and Reform, Deputy Brendan Howlin, has singled out lone parents and the disabled who are making every effort to return to the workforce using community employment work and training schemes. From January, new participants on community employment schemes will not be able to retain their lone parents or disability allowance, a loss of €210 per week. Until now, both of these groups could keep their existing allowance and be paid for 19.5 hours work carried out as part of their CE scheme.

In another crippling blow to families that are struggling, the amount single parents can earn without reducing their social welfare entitlements will be slashed from €146.50 to €130. The Minister also confirmed that this figure would be shrunk to €60 per week by 2016.

I know of one lone-parent with three children who is facing an €89 reduction in their weekly allowance.

Deputy Joan Burton: No, €51.

Deputy Seán Crowe: How is this lone parent expected to cope with such a massive reduction in her income? This is money she needs to provide her and her children with a basic standard of living. The Minister lives in her ivory tower, on her big wages and with her middle class background. She has all the answers to how this woman will deal with the crisis she is in. More and more families will be forced into poverty. That is the reality of the changes the Minister has brought about.

Deputy Mary Lou McDonald: It is worth repeating the deep irony of discussing cuts in the field of community employment at a time when there are almost 500,000 people on the live register. It is an obvious point and I have repeated it in the House, but it strikes me that this fact sails over the heads of those on the Government benches. It also strikes me that the Government has made a decision that people such as those who avail of community employment are soft targets. After all, that is the view that its members took of the DEIS schools and

[Deputy Mary Lou McDonald.]

the so-called legacy posts. It is certainly the view they take of people who parent alone, the vast majority of whom are women.

It seems to me that the value of community employment has been completely missed, not just as a labour activation method and a crucial gateway back into employment for so many citizens, but also as a service provider. Perhaps it has been deliberately missed by this Government. What does the Minister for Children and Youth Affairs make of the cuts to CE by the Minister for Social Protection? The child care sector in this State is heavily reliant on community employment. Has she conferred with the Minister for Children and Youth Affairs and has that Minister taken a position on this matter? What is the view of the Minister for Health? My colleagues have already mentioned the very valuable work done by special CE schemes in the area of drug rehabilitation. Does the Minister for Health have a view on this matter? Did the Minister for Social Protection seek it? Do either of them care about the collateral damage that will be done to real people in the real world if the cutbacks that she proposes go ahead?

The services provided by CE schemes are many and varied. The Minister wants to cut the scheme to Pavee Point Travellers' Centre by €15,000. She wants to take €15,500 from Aware, which is an organisation that deals with vulnerable people who suffer from depression. In my constituency, the Dublin Adult Learning Centre faces a loss of income of €23,000 and could lose as much as 50% of its participants. This organisation provides a service to the most disadvantaged in our community. It offers a very valuable level of opportunity and access to citizens who otherwise would be denied those chances. Like so many CE schemes, it stepped in where the State failed.

If the Minister is so gung-ho not only to cut, but to undermine community employment to the extent that she will force the closure of many projects, then what does she and her colleagues propose to do to replace those services? What compensatory measures will she take, if any? Does she imagine that she can slash and burn and introduce cutbacks such as this, which damage service provision, families and communities, and walk away and wash her hands of the consequences? We do not want a review of these matters. The manner in which her review is being carried out is deeply unsatisfactory. I have yet to speak to anybody from any CE project across the State who believes that her review has engaged with the projects in any kind of meaningful way beyond crude bean counting.

A review is not sufficient. We want a reversal of these cuts. We know the Government is hell bent on handing over billions of euros to bondholders and bankers. That is its decision, but how deeply unethical and dishonest of the Government to do that on the one hand, and then literally to cut the ground from under disadvantaged people who wish to return to employment and who want a decent chance and a decent future for their children. What kind of a message does that send? Perhaps the message from the Government is that it will continue to look after the interests of the rich, but those who are struggling and those who are in need will get the deaf ear.

Deputy Pádraig Mac Lochlainn: I would like to paint the picture from the perspective of Donegal. Along with the Minister's colleague, Senator Jimmy Harte, I attended a meeting not so long ago where the array of community employment projects in the county came together. It was a very well run meeting organised by SIPTU. Everybody outlined what their project does in their community, and why their services are so vital to their community. Some of the participants then talked about what community employment meant to them.

I would like to get the Minister's attention when her colleagues is finished speaking to her.

Deputy Colm Keaveney: I am listening to the Deputy.

An Leas-Cheann Comhairle: Deputy, please.

Deputy Pádraig Mac Lochlainn: I would like to get the Minister's attention, because I want to hear her clearly what I am about to say.

Deputy Joan Burton: I can hear him clearly. He should not get too excited.

Deputy Pádraig Mac Lochlainn: I thank the Minister for giving me her attention. A couple of years ago, about 8,000 people were on the live register in Donegal. Today there are almost 23,000 people on the register. Again, Leas-Cheann Comhairle, can I ask for the Minister's attention?

An Leas-Cheann Comhairle: I want the noise level down. I hope everybody is listening to everybody. That is my fervent wish.

Deputy Pádraig Mac Lochlainn: That is fine. These are precious opportunities to address the Minister.

Deputy Joan Burton: What was the date of the meeting in Donegal? That is what I was talking about.

Deputy Pádraig Mac Lochlainn: I will e-mail the Minister the dates.

Deputy Joan Burton: The Deputy can give it to me. He was at the meeting so he must remember. When was it?

Deputy Pádraig Mac Lochlainn: The Minister should not be so pedantic.

Deputy Joan Burton: I just would like to know the date. It is a reasonable request.

Deputy Pádraig Mac Lochlainn: Who can recite their entire diary over the past 30 days? Can the Minister tell me every meeting she has attended in the past 30 days?

Deputy Joan Burton: The Deputy should tell us the dates.

Deputy Pádraig Mac Lochlainn: She should not be so silly.

An Leas-Cheann Comhairle: The Deputy only has three minutes. Let us have order please.

Deputy Pádraig Mac Lochlainn: I would like an extra minute due to interruptions. Now that I have the Minister's attention, I tell her that there were 8,000 people on the live register in Donegal, but today there are around 23,000 people on the register. Emigration is a big issue in our county. Thousands of our young people across the county have emigrated. When unemployment has trebled in a county that has historically suffered from disadvantage, then how in the name of God can the Minister possibly justify cutting community employment schemes? She should double or treble the contribution towards these projects. These projects are on the front line and they deal with the devastation that has been caused.

The reason I wanted the Minister's attention is that she was such a passionate opponent of what the last Government did. I remember her being so prominent on the television. I used to watch her at home on news reports as one of the leading voices against the impact of what has happened. How can she possibly stand over cutting the funds to community employment in a county like Donegal, not to mind the other disadvantaged areas of the State? How can she possibly stand over cutting projects that provide support to young people, the elderly, crèches, community resource centres and tidy towns committees? This is the thread that holds our communities together. At a time when we face such economic hardship, some of the few good

[Deputy Pádraig Mac Lochlainn.]

news stories come from such people in those centres. They are the “can do” people who are rolling up their sleeves and meeting the demands the Government makes of them in respect of local leadership and positivity. The very people who are providing that leadership in local communities are seeing these cuts.

I am happy to provide the Minister with the details of the meeting after my contribution. I will send her an e-mail about it. I ask the Minister to become again the woman, the leader she was before she assumed her position last February. I ask her to look into her heart, to remember what she has stood for all her life. I reiterate what I have said before that I do not presume to be a better person than the Minister nor do I consider myself to be a more decent person than her. I do not believe that I care more about these issues than the Minister does. However, she needs to prove me right. She needs to put it into action. She knows the impact of this crisis on communities which have been historically disadvantaged and which suffer from unemployment and all the resultant challenges. I ask her not to take from those at the front line; please do not undermine the morale and spirit of those local leaders whom we need to help get this country back on top again. That is my appeal to the Minister and I thank her for giving me her attention.

Deputy Martin Ferris: I wish to share time with Deputy Michael Healy-Rae.

The Minister and her colleagues stated there would be no threat to community employment schemes and that the review being conducted will somehow make up for the taking of two thirds of their funding. It will be interesting to know how the schemes will be able to continue to operate within the constraints of a 66% cut in the overall budget.

I will give the Minister some idea of the impact of the cuts. One of the Listowel centres has provided the following information. I have the figures from every area in Kerry and west Limerick. The funding for materials and training has been cut from €35,420 to €11,960. The fact that rent, insurance and telephone costs will remain the same, means that the cuts impact directly on the participants and on the services provided to an even greater extent than the 66% cut. They will now have only €3,860 with which to run the centre for a year. I ask the Minister or her colleagues how the centre will be able to function on this amount of money. In effect it means the centre will be unable to provide any engagement with the community in Listowel as was possible in the past. The knock-on effect will also impact on local businesses and service-providers as well as the local tidy towns committee, the family resource centres, the Society of St. Vincent de Paul and even the flagship event which is the annual Listowel Writers' Week.

The scheme in Listowel has had a significant impact on the participants. Unemployed people who have lost personal and social confidence have rebuilt this sense of their own value along with acquiring practical skills and qualifications. By undermining community employment schemes, the Government is in effect telling those people that they might as well not bother. This fits with the overall depressing anti-initiative and anti-employment spirit of a Government which seems to believe that the only people who need State intervention to put money in their pockets are low wage employers. Everyone else and society at large is apparently expected to thrive on cutbacks.

While the Minister continues unabated this policy of austerity that targets the most vulnerable and weak in our communities, the unemployed, those on CE schemes, DEIS schools and small rural schools, there are other people who have a responsibility, particularly the trade union leadership. They have a responsibility to defend people in need and to defend the most marginalised and those most discriminated against in our society and communities. At one time the trade union movement boasted that it had the Labour Party in its back pocket but now it is the other way around; the Labour Party has the trade union leadership in its back pocket. I

appeal to the trade union leadership listening to show leadership and to fight the policies of austerity being perpetrated by this Government.

Deputy Michael Healy-Rae: I thank Deputy Martin Ferris and Sinn Féin for allowing me speak. I thank Sinn Féin in particular for bringing this Private Members' motion before the House. I truly believe that in her heart and soul the Minister knows the valuable contribution made by community employment schemes to their communities. I truly believe that both she and the members of the Labour Party realise that the CE schemes are more than just about jobs; they also do very important work which cannot be taken up by anybody else. They are helping voluntary community organisations who have no other funding from any other sources. I have heard the Minister say that we will not lose the CE schemes but the truth is if the funding is cut, the schemes will be in danger. If we lose them, what will take their place, who will do the work? Who will work in conjunction with the family resource centres? Who will work with the local tidy towns committees to keep public areas in order? Who will help our elderly people? There has been massive work and organisation put into setting up CE schemes and helping them to perform excellent work. They deliver a great service and it is a shame if we are to allow that to be destroyed because there is no alternative and nothing can take up the slack.

I plead with those who are thinking of coming in here tomorrow night and voting against this motion. I ask them to reconsider and to vote, as I stated last week, with the people and not with the party. The Government has a massive majority and the problem is that the majority is too big. That is why people think they can inflict this hardship on people.

Minister for Social Protection (Deputy Joan Burton): I move amendment No. 1:

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

- “ — acknowledges that the plans set out by Government in Budget 2012 form an important step in returning Ireland's economy to a sound footing and regaining our economic sovereignty;
- commends the commitment, dedication and work of all those involved in the management and administration of community employment (CE) schemes;
- regrets that the ongoing reviews had not taken place previously;
- notes that in 2012, in excess of €315 million will be provided by the Government to support community employment and, that as a result, over 22,000 participants will secure valuable experience whilst supporting local community endeavours;
- confirms the continuing support of the Government for the cost effective maintenance of crucial local services provided by community employment;
- notes that there has been no reduction in the number of CE places available for 2012;
- recognises the key role CE special schemes play under the National Drugs Strategy, where places are ring-fenced for CE drug rehabilitation with the specific objective to “*help recovering drug users develop their personal and employment skills and find a pathway back to work*”;
- notes that the Government has commenced two reviews of community employment, both of which are to be completed by the end of March 2012, to ensure that:

[Deputy Joan Burton.]

- adequate funding is provided (taking account of all funding and revenue sources available to sponsors); and
- the schemes meet their labour market activation and progression targets whilst taking cognisance of the rationale and relevance of all scheme objectives;
- acknowledges that no CE scheme has been closed as a result of the reductions in training and materials grants since the announcement of the reduction, and further notes that the Government has committed that all schemes will be supported during the period of the ongoing financial review;
- recognises that there is a considerable variation across CE schemes in relation to the amount of training provided, materials required, overhead costs and the potential for sponsoring organisations to meet certain costs;
- notes that schemes will no longer receive a standard grant per participant but rather, will be provided with a specific level of support aimed at meeting their specific costs;
- further notes that the baseline amount of the grant remains at €500 per participant announced in the budget, but that there will be discretion to make up to €1,000 per participant available to schemes in respect of the training and materials grant this year, based on a clear demonstration of need by the CE schemes; and
- welcomes:
 - the engagement by the Minister for Social Protection, Joan Burton T.D., with Department of Social Protection staff to ensure that schemes are supported during the period of the reviews;
 - the commitment by the Minister for Social Protection to ensure that the role played by stakeholders in community employment is acknowledged in the ongoing reviews of community employment;
 - the assurances given to community and voluntary organisations that no CE scheme will be forced to close as a result of the reductions in training and material grants, pending the completion of the financial review of each CE scheme by the end of March 2012; and
 - the commitment of the Minister for Social Protection to ensuring that, following the completion of the financial and activation review, community employment will support both the labour market activation and progression of individual participants, in addition to the maintenance of local community services.”

I thank Deputies for their contributions and for their concern about the future of community employment schemes. I am equally as concerned. This debate is an opportunity to discuss how we move forward in a positive fashion to give the people who are currently unemployed an opportunity to have a brighter and better future.

This Government's priority is jobs. We want to ensure that those on the live register are ready and able to return to work as soon as possible. This is why in 2012 we are spending over €960 million on employment supports, including €315 million on CE schemes. I think Deputies will agree that these are not small sums and they have been provided for in the budget. While the overall spending on employment supports will increase this year from the €882 million

expended in 2011, the spend on CE schemes will be reduced somewhat. At a time when the public finances are more constrained than ever before, this employment spending represents a very significant increase on 2011. Currently, there are 1,143 community employment schemes in operation nationally with 23,300 places, approximately 22,000 participants and 1,300 full-time equivalent supervisor posts whose wages account for an expenditure of approximately €57 million.

I remind the concerned Deputies that there will be no reduction in the number of places on CE schemes and no reduction in the number of supervisors. Some speakers may have sought to make misleading statements in that respect. There are no reductions in the number of supervisors or in the number of places. I know this matter is of great concern to communities all around the country.

Deputy Michael Healy-Rae: What about the materials grant?

Deputy Joan Burton: Even after the changes in one-parent family payments announced in the budget, a lone parent with two children who is an existing participant in a community employment scheme will receive a payment of €423 a week for 19.5 hours work where previously, such parents were in receipt of €460 a week. Deputy Ó Snodaigh referred to a lone parent with three children who was previously in receipt of €504.80 during the six months of summer time. This person's 2012 payment will fall to €452.90 for 19.5 hours work.

Deputy Aengus Ó Snodaigh: How much will new participants receive? The Minister misquoted me because I did not mention anything about any parent. She is misrepresenting what I said. It is €297 instead of €504. That is some drop.

An Leas-Cheann Comhairle: Please, Deputy, no interruptions.

Deputy Joan Burton: Due to the current economic circumstances and the need for the Department to find savings of €475 million in the budget, it is necessary to examine all aspects of expenditure of my Department. I can inform the Deputy that no cut is easy or pleasant to implement but the country is in a very difficult place. The payments in the Republic are way in excess of—

Deputy Colm Keaveney: What about the hundreds of teachers Sinn Féin is firing in the North?

An Leas-Cheann Comhairle: Deputy Keaveney, please.

Deputy Joan Burton: —the supports Sinn Féin's government offers in the North.

Deputy Aengus Ó Snodaigh: Here the decisions are determined by a Government in this State. In the North, they are determined by a government in Westminster.

An Leas-Cheann Comhairle: Deputy Ó Snodaigh.

Deputy Colm Keaveney: It is Mr. David Cameron's austerity. It is the fault of the Brits.

Deputy Aengus Ó Snodaigh: We are not blaming anyone.

An Leas-Cheann Comhairle: Order, please. The Minister, Deputy Burton, is in possession. Deputies Keaveney and Ó Snodaigh should please allow the Minister to continue.

Deputy Aengus Ó Snodaigh: The Minister is encouraging me.

Deputy Joan Burton: I have much personal experience of community employment schemes. I know the valuable contribution they can make. However, if we are honest we must say that not every community employment scheme has the same positive outcomes for the people who participate. As Minister, I take seriously what researchers say. For example, the 2011 report of NESC — with which all the social partners, NGOs and voluntary bodies participate — *Supports and Services for Unemployed Jobseekers: Challenges and Opportunities in a Time of Recession*, was critical of community employment in terms of labour market progression. The 2011 ESRI report, *What Can Active Labour Market Policies Do?* noted that “participation in community employment was not associated with increased post-programme employment chances”. If we are to have a serious discussion we must recognise that some of the people who are the greatest champions of the disadvantaged have had serious, constructive criticism to make.

I received the community employment schemes into the Department of Social Protection on 1 January. I would be derelict in my duty as Minister if I did not look at how the money is spent. That is reality. The study of the 2006 to 2008 period found that “previous participation in a CE scheme was associated with an increased risk of long-term unemployment, even when a range of personal characteristics and labour market experience was taken into account.” The authors stated that it is essential that investment in employment supports “achieves the best value for money”. I do not apologise for that. It is a sensible use of taxpayers’ money that we try to ensure that we get value for money, and that we allocate spending to schemes that “do most to enhance the employment prospects of those who participate in them.”

The earlier 2009 OECD report on activation policies in Ireland had also raised a number of serious concerns in respect of the community employment programme. The authors noted that “CE now functions for some participants as low-paid public-sector employment.” We must all think about that, because it is honest. Some of the contributions acknowledge that. Community employment plays a role at local level. I acknowledge that. I share that concern with the Deputies opposite. What we are trying to do is eliminate the flaws in community employment. That is the purpose of the exercise we are carrying out.

Deputy Aengus Ó Snodaigh: The Minister should not cut it then.

Deputy Joan Burton: That said, the OECD stated that “even allowing for the diversity of CE, Ireland should have scaled it back further during the long period of low unemployment, when its participants could more easily find regular jobs.” I accept that relates to the past but it is pity it was not done. The OECD concluded that “The existing Community Employment (CE) programme should not be expanded greatly, even if unemployment increases as a result of the weaker economic conditions, partly because it was not downsized enough during the years” when there was a great deal of money. That suggests we that should examine the schemes, identify those that represent important services to the community, give good experience to participants and provide value for money. I hope even the Deputies in Sinn Féin might share that as an objective as it is a reasonable one to have.

A greater emphasis on reforming activation policies and associated measures is also a major condition of continued financial support from the troika and was included in the original agreement with it. It is my job to see that this country exits successfully and safely from the troika programme to economic recovery, including mass regains in employment. That is our objective. However, the troika fails to recognise the intrinsic social value of some community employment schemes which play such an important role in communities, in particular by helping the disabled to live independently or delivering meals-on-wheels to older citizens. That is a point that tends to get lost in the economic analysis of community employment schemes, which almost exclusively focuses on labour market progression. There is work to be done in that regard, which is

the purpose of the reviews being carried out. I have just received the schemes into my Department, along with 700 former FÁS employees. I ask Deputies why they would have difficulty with the review of spending of approximately €1 billion on labour market supports, including €315 million on important community employment schemes, and not seek to ensure the money is spent as well as possible in the community.

Deputy Pádraig Mac Lochlainn: The Minister made the cuts before the review took place.

Deputy Aengus Ó Snodaigh: The Minister should reverse the cuts.

An Leas-Cheann Comhairle: Order, please.

Deputy Joan Burton: It is my goal to find a solution that takes account of the objectives of getting people ready for real jobs, getting value for money for the taxpayer and supporting schemes that deliver much-needed social services. I want to develop policies that help people keep close to the labour market, taking into account advice on new employment growth areas and developing skills needs.

I am pleased that many community employment schemes provide valuable qualifications to people who never had the opportunity to achieve that in their earlier lives. Some 15,000 participants received FETAC awards in 2011. In addition, 10,000 other awards in occupational skills and health and safety by other awarding bodies were achieved. It must be remembered that a large number of community employment scheme participants have low formal educational qualifications and achievement and, for such people, community employment provides a second chance to catch up and gain qualifications that can help to make them more employable. However, not all schemes are sufficiently focused on the employability of participants; the provision of the service by the scheme can sometimes take precedence over the needs of the individual. Likewise, for some schemes there is insufficient focus on progressing the individual into employment.

As Minister for Social Protection, I am determined to ensure that the positive contribution of schemes is recognised in any future decisions on the operation, funding and role of community employment. I have asked for an initial review of the financial resources of all schemes to be completed by the end of March 2012. This was also promised to the troika some time ago, which is the reason for the time line. The commitment was previously entered into in other commitments given to the troika. The review is being carried out with the full involvement of scheme sponsors. Standard templates have been developed and issued to the Department's staff responsible for the schemes to ensure consistency in approach. There is a considerable amount of variation across community employment schemes in terms of the amount of training provided, materials required, overhead costs and the potential for sponsoring organisations to meet certain costs in some situations. Some sponsors have significant streams of income while others do not. There is much variation across the range of the 1,100 schemes. The review is being carried out in the knowledge that there are community and voluntary organisations that receive funding from a multiplicity of State agencies and it may be possible to achieve savings by examining that. There are also sponsoring organisations where income is generated as a result of the contribution of community employment participants and there may be potential to utilise some of these funds to cover project costs.

While a reduced level of grant for training and materials is unavoidable in 2012, given the budgetary position, we are making all efforts to minimise the impact of the reductions. The financial review is identifying that certain schemes are better resourced than others and, therefore, less reliant on the training and material grant for their successful operation. Let me be clear: we will be ceasing the current practice of giving the same level of training and materials grants to all schemes, irrespective of the length of time participants are on schemes. Approxi-

[Deputy Joan Burton.]

mately 2,000 have been on schemes for five years or longer. Their need for training is considerably less than that of new entrants. Neither does the current approach take into account the varying requirements of schemes. In this regard, it is anticipated that all community employment schemes will see a reduction in the level of training and materials grants compared with those payable in 2011, but the reduction will vary according to the needs of participants and project circumstances. No scheme will be forced to close as a result of the reduction in the materials and training grants during the period of the financial review.

I will state something every Deputy knows. Every year some schemes close for a variety of reasons, for example, a scheme's changing nature, amalgamations, etc.

Deputy Mary Lou McDonald: If the Minister is making cuts, what is the purpose of the review?

Deputy Colm Keaveney: To save money.

An Leas-Cheann Comhairle: Order, please.

Deputy Joan Burton: Despite the statements——

Deputy Mary Lou McDonald: What is the purpose of the review if the Minister is going to make the cuts?

Deputy Joan Burton: To get value for money.

Deputy Aengus Ó Snodaigh: They are to be determined.

Deputy Mary Lou McDonald: The sector is under the impression that the cuts have been made.

Deputy Joan Burton: Not all schemes are the same. Since the budget, I have repeatedly stated there have always been significant flexibility and discretion for departmental officials to vary the amount of the grant paid, depending on the needs of individual schemes. As the schemes did not come to the Department of Finance until 1 January, we could not conduct a review prior to that date.

Deputy Aengus Ó Snodaigh: The Minister did not need to make cuts first before the review.

Deputy Mary Lou McDonald: The Minister's script states she has made the cuts.

Deputy Joan Burton: In practice, the internal guidance to officials is that up to €1,000 may be available to a scheme through the training and materials grant for this year, subject to demonstration of need. I can also advise that I have instructed my officials that all discussions with sponsors on these matters are to be conducted in a constructive manner.

The schemes are dealing with the Department of Social Protection, the staff of which have a long record of dealing fairly and well with communities and individuals. I do not know whether Sinn Féin wishes to contest this statement, but it is the reality across the country. Former FÁS staff are not employed in my Department. My staff will deal with schemes in a constructive and honourable manner.

Deputy Mary Lou McDonald: The review is a farce.

Deputy Joan Burton: The Deputy may laugh, but this is not a laughing matter for communities.

Deputy Mary Lou McDonald: I am well aware of that.

Deputy Joan Burton: For many years there have been supports available for lone parents. I am unsure whether lone parents have done as well on community employment schemes as they might have done had greater emphasis been placed on educational progression and opportunities to take up generalised employment.

Deputy Aengus Ó Snodaigh: Or child care.

Deputy Joan Burton: Anyone who is honest and has worked with organisations representing lone parents knows that many lone parents would like to have a job, financial security and independence.

Deputy Aengus Ó Snodaigh: Many already have jobs.

Deputy Joan Burton: Most lone parents are dedicated to working, not just for their children, but for themselves. The Deputy should be open to considering whether the provision of various State supports for 30 years under the current system has achieved the outcome we would like to achieve for lone parents and their children.

Deputy Martin Ferris: Why not ask the participants?

Deputy Joan Burton: I can also advise——

Deputy Aengus Ó Snodaigh: The Minister should ask lone parents, some 60% of whom are in work.

An Leas-Cheann Comhairle: The Minister must conclude.

Deputy Joan Burton: It is about progression.

Deputy Martin Ferris: The Minister is insulting people.

Deputy Joan Burton: What everyone wants is to provide opportunities for people to work and become financially independent. That is my ambition.

Deputy Martin Ferris: The cuts deny them opportunities.

Deputy Shane McEntee: They are backing the Minister.

Deputy Aengus Ó Snodaigh: They are not.

Deputy Shane McEntee: They are in my county.

An Leas-Cheann Comhairle: Order, please.

Deputy Aengus Ó Snodaigh: They are not backing the Minister in any shape or form.

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

Deputy Joan Burton: My Department is undertaking a review of the effectiveness of a range of employment support, activation and work schemes, including the community employment scheme. This was committed to some time ago as part of the troika review process. The review will help to determine future policy——

Deputy Martin Ferris: The Minister has choices.

Deputy Joan Burton: The Deputy supported it. He voted for the bank guarantee.

An Leas-Cheann Comhairle: Please, Minister.

Deputy Colm Keaveney: Sinn Féin invited the troika to Ireland.

Deputy Aengus Ó Snodaigh: We did not support it.

An Leas-Cheann Comhairle: One voice, please.

Deputy Joan Burton: The outcome of the review will inform the overall approach my Department will take to securing the best outcome for schemes and their participants, taking account of the large amount of money we spend on them. We spend the guts of €1 billion on employment schemes, some €315 million of which is spend on community employment schemes and the approximately 22,000 places provided. The 1,300 scheme supervisors are paid approximately €57 million. It is important that we be aware of these figures. There will be no reduction in the number of community employment scheme places.

Deputy Aengus Ó Snodaigh: It is all the supervisors' fault. Look at all the money they get.

Deputy Joan Burton: At a time when the social protection budget must be reduced, we must adhere to the principle of making a single primary payment per person.

Deputy Aengus Ó Snodaigh: The easiest way to reduce the budget would be to give them jobs.

An Leas-Cheann Comhairle: The Minister should conclude.

Deputy Joan Burton: The time to make two payments is——

Deputy Aengus Ó Snodaigh: Jobs — the elephant in the room.

Deputy Shane McEntee: There are plenty of jobs available.

Deputy Joan Burton: Unfortunately, we cannot afford to make two payments.

Deputy Aengus Ó Snodaigh: The Government could invest in job creation, but it will not. It is quite simple.

Deputy Joan Burton: I am sorry——

Deputy Aengus Ó Snodaigh: I know the Minister is sorry.

Deputy Joan Burton: I would like there to be no reductions under any heading, but we must try to meet our budget in the way that best secures recovery for the country and employment for people.

Deputy Aengus Ó Snodaigh: If the Minister is referring to reductions, she should ask lone parents about the reductions under that heading.

Deputy Joan Burton: We must use community employment schemes, given the valuable contribution they make to local communities.

Deputy Aengus Ó Snodaigh: Is the Minister not listening to the OECD?

Deputy Joan Burton: We must give community employment scheme participants a positive experience that will help them to achieve their goals in life and to find a job. That is the absolute requirement.

Deputy Aengus Ó Snodaigh: Create jobs.

Deputy Joan Burton: We also require a value for money element, given the times in which we live and the way the economy has crashed. I am confident that we will emerge from the review and that, by the time we discuss the matter this time next year, actual opportunities for community employment scheme participants and communities will have improved.

Deputy Patrick O'Donovan: I welcome the opportunity to contribute to the debate on the motion. I concur with much of what has been stated about the importance of community employment schemes at local level. I draw the Minister's attention to an important aspect of the schemes, namely, the role of supervisors. As she is aware, supervisors have been left in limbo, particularly those who have retired. In 2008 the Labour Court recommended that supervisors receive a pension, but the matter has not progressed. While the review is under way during the coming months and years, I encourage the Minister and her office to consider the role of supervisors. They hold permanent positions in the public service, yet that are in limbo because the change recommended by the Labour Court has not been made.

I welcome the Minister's commitment in respect of the review, but, as many Deputies have stated, to put it mildly, communication between the Department and community employment schemes has not been good. Departmental officials should view the review as an opportunity to open the channels of communication. While efficiencies of scale are necessary, much could be done by the Minister to encourage better communication. For example, while all schemes are currently required to produce audited accounts, they cannot adopt a collective bargaining position whereby a number of them might seek a marked down price in return for giving an auditor their collective business. Likewise, they are unable to engage in collective bargaining for the purpose of purchasing materials. If their hands were not shackled in this manner, they could find a range of ways in which to secure savings. If schemes in rural areas in particular are allowed to pool resources to purchase services and materials, the savings the Minister requires could easily be achieved.

Deputy Robert Dowds: I agree with Deputy Patrick O'Donovan's comments on the very difficult situation in which community employment supervisors find themselves in regard to pension rights and so on. I hope the Government will consider that matter in due course. I commend the Minister for Social Protection on her achievement in reducing the cuts that were initially proposed to be imposed in her Department by more than €300 million. Nobody knows where those cuts might have fallen, but she certainly deserves credit for holding that line. In addition, it is to her great credit, at a time of substantial cuts in services across the board, that the budget for employment supports has increased from €822 million to €950 million. That is an important and welcome achievement.

I am a strong supporter of the work carried out by community employment schemes. Not only have they helped many people through training towards employment and greater self-development, they have also brought great benefits to communities throughout the State. That can be seen in a range of areas, whether through the provision of child care, supports for drug taskforces, the provision of meals on wheels, assistance to sporting organisations and so on. The ESRI has not sufficiently acknowledged this important social aspect of community employment schemes. I support the review of the schemes, but it is important that there is greater clarity in terms of the training that will be available for people as they seek to better themselves and find a way back to work.

Deputy Gerald Nash: As a director of several sponsor companies and an active proponent of the community employment system, I join colleagues in welcoming the opportunity to debate the Minister's review into the operation and efficacy of the schemes. In doing so, we must be honest with ourselves, as the Minister urged. We also must be honest with the communities we represent and the schemes which depend on the community employment framework. Communities need community employment and community employment-type supports to enable them to function properly. In any debate about these schemes, we must be straight with those whose future prospects and life chances depend on robust and relevant labour market activation measures.

The first question we must ask ourselves is whether the community employment system has the full capacity to set the jobless free from the clutches of social welfare. That is arguable. Is it fit for purpose as a passport to a new job? Are the training and education opportunities and the way in which money is spent appropriate to the needs of those who must be equipped to do themselves justice in a very competitive labour market? We would all acknowledge that these schemes have played an important role as a community intervention. They have built capacity in our communities and occupy a vital space from which the State generally removed itself decades ago.

Whether one agrees with the findings of the ESRI report to which the Minister referred, we must take seriously the institute's position, as well as that expressed recently by the Department of Public Expenditure and Reform, and give them the credence they deserve. If the community employment framework is not the route to a job, as many reports have contended, and if we can spend the money in a way that better delivers real opportunities in sustainable sectors of the economy and in our communities, then we must give consideration to changing our approach to some degree.

However, a straight accounting exercise on the value of community employment schemes would miss the point entirely. Instead, we must measure the social value of community employment, in so far as that is ever entirely possible, and look at it from the perspective of what our communities would look like if these schemes were removed from the landscape. We should move towards a situation where there is acknowledgment of the intrinsic social value of community employment schemes and a commitment to resource a community employment-type model of service provision for the communities that need it most, while at the same time devising a new, responsive system which properly caters for the needs of the labour market gaps that exist today and the economic opportunities that will arise in the future.

Deputy Charlie McConalogue: I propose to share time with Deputy Timmy Dooley.

An Leas-Cheann Comhairle: That is agreed.

Deputy Charlie McConalogue: My party supports the motion put forward this evening and calls on the Government to reverse its plan to cut the materials budget for community employment schemes throughout the State. The Minister, Deputy Joan Burton, said it is not the Government's intention to close down any community employment schemes. That is certainly not the view of the people participating in community employment schemes across the country or of those organisations for which such schemes are a key part of the activities they carry out. We have heard the same claims from the Government in regard to various other cuts. We are told, for example, that there is no intention to close hospital beds and hospitals. Yet when it comes to the crunch, the opposite is the case.

We are now hearing from the Minister, Deputy Burton, that it is not her intention to close down any community employment schemes. However, she must realise that the materials grants, which heretofore amounted to €1,500 per participant, are an essential component in the

day-to-day operation of these schemes. To make a cut of this magnitude unilaterally, without any consultation, discussion or review — to use a favoured word of the Government — is unacceptable. The 66% reduction in the materials grant, from €1,500 to €500, is effectively putting many of these schemes in jeopardy.

That is the message the Minister will get if she talks to scheme supervisors, participants and sponsoring organisations. They have no doubt that this cut is putting the very future of their schemes in danger. That is why so many of them throughout the State have come together, held meetings and met public representatives, both Opposition and Government Members, to get this message across. It is also why the Minister, Deputy Burton, has launched her famous review, a review announced only after she decided to make the cut and in response to the pressure she came under——

Deputy Michael McCarthy: In response to the political and economic crisis the Deputy's party left behind.

Deputy Charlie McConalogue: It would suit Deputy Michael McCarthy better to talk to the Minister rather than to throw smart comments across the floor.

Deputy Michael McCarthy: That is a fact.

Deputy Charlie McConalogue: We must ensure this important issue remains at the centre of the Minister's attention. For her to talk about this cut as being part of a review, a component of her master plan for employment services, is unconvincing. I agree that we must ensure back to employment services are structured so that they are as efficient as possible in equipping people to return to work. There is nothing wrong with that objective, but it is not what the Minister is doing here. Rather, she is attempting to justify the reduction in the materials grant by "bigging" it up into some type of review. It is simply not acceptable. These CE schemes are the lifeblood of many of our communities. They assist GAA clubs, parishes, tidy towns groups, community resource centres and crèches. Deputy Nash stated that CE schemes might not be maximising their potential to assist people in returning to work. There is no such thing as a community employment scheme that does not contribute effectively and in an important way to its local community. While we need to improve and enhance our back-to-employment schemes and the options available to those who find themselves unemployed, we need also to ensure continuation of CE schemes and the work they do. Where CE schemes are not assisting in directly leading people back to work but are contributing to the benefit of local communities, as is the case in many instances, we should to be improving them rather than cutting their funding. We need to increase the opportunities of the many talented people on the live register who are sitting at home but would like to be contributing to society.

The demand for participation in CE schemes has increased dramatically during the past couple of years. There are people at home unemployed who want to contribute, to be doing something useful, to better their chances of getting back into employment and to use their skills to benefit their local areas. The Minister's plan will, by default if not intent, result in the closure of many CE schemes or in making it impossible for many of them to work.

CE schemes are important. As of December there were just under 22,000 people on the live register in Cross, County Donegal. While in 2010 more than 500 young men in the area came off the live register, more than 400 women went onto it. The dynamic at work here is emigration. There is no room on CE schemes for talented people previously involved in construction who wish to bring their skills to bear in a way that contributes to their local area, thus providing them with a hook to keep them at home while awaiting an upturn in employment opportunities.

[Deputy Charlie McConalogue.]

I urge the Minister, Deputy Burton, to reverse these cuts. CE schemes are essential to many areas, groups and local communities. I urge her to reverse these cuts.

Deputy Timmy Dooley: I welcome the opportunity to contribute to this debate. I am delighted this issue is being discussed. I have been trying for a number of weeks to have this matter put on the agenda such is the concern relayed to me by many people likely to be impacted by the proposed cuts to CE schemes.

I remind some of the Members opposite of some of the promises made by the Labour Party and Fine Gael in their collective manifestos. The Labour Party promised to create a new national employment service that would integrate community employment participants, but it has simply cut the resources available to these schemes in what appears to me to be a ham-fisted manner of balancing the books. The Fine Gael election manifesto specifically stated that community employment schemes would be maintained and expanded but would be managed by local authorities, which is an interesting idea but there has been no movement on it. CE schemes will certainly not be expanded on the basis of the type of cuts announced. Fine Gael's manifesto also stated that CE schemes would be earmarked for an overhaul and expansion by 5,000 places. It stated:

This will offer community employment places to people currently on the live register. We will reform CE to make it more market-orientated with many more placements in private sector businesses. With this aim in mind, we will cut in the length of the standard Community Employment Scheme to six months, except for specific progression purposes, and strengthen the programme with regard to job search support.

Sadly, this has not happened. What we are now seeing is the Minister dealing in a blunt way with the problem of trimming back her budget. It is hoped that during the course of this debate we will get answers to the specific questions raised by Members on all sides of the House. I acknowledge that Members on the other side of the House are also concerned about CE schemes. I do not want this to be a game of ping-pong. We all represent our communities and know how effective CE schemes are in the communities they serve and how important they are to the people fortunate enough to participate on them.

As I understand it, based on the announcement on budget day — we have yet to get sight of the Finance Bill which may contain some changes in this regard — funding for CE schemes is to be cut from €360 million to €315 million, which is a €45 million cut which will impact severely on the capacity of CE schemes to operate. The Minister stated that she would close no scheme. However, inherent in that is the requirement to ask the question, if the Minister is not going to close the schemes, will she replenish the money she has already cut? How does the Minister expect schemes to operate without the €1,000 per head materials grant? While the Minister has stated that she will not close any schemes, these proposed cuts will force them to close.

I have visited many of the CE schemes in my county, urban and rural, all of which represent a mix of different people and mix of different types of work. They have made clear to me that they will not be able to sustain a cut to the tune of €1,000. A cut in the materials grant to the extent proposed will have a dramatic impact on their ability to carry out their work. I went through budgets with all of them. I am sure all Members have had budgets laid before them. I am not a forensic accountant. One does not need to be to work out that these schemes will not be able to function based on the cost of running their schemes last year, despite their operating prudently. They must have the capacity to put in place activation and training measures for participants on their schemes. If the Minister is suggesting that a valid scheme is 15 participants and a supervisor who sit around a room drinking tea all day, then schemes probably will survive.

However, that is not what CE is about. CE is about providing a useful opportunity within the community for individuals wishing to participate on a scheme. It is about delivering a service.

There is a clear correlation between the reduction in the number of local authority outdoor workers in rural areas and the emergence of people on CE schemes. These people do exceptional work and provide excellent value for money. There has been a huge decrease in the number of outdoor workers employed by local authorities and an increase in CE participation. CE schemes are doing the work once done by local authorities, and at a fraction of the cost. They are, in addition to increasing the confidence of participants to find jobs, keeping our rural villages and towns clean, thus assisting in the promotion of tourism, maintaining graveyards and churches, protecting our heritage, assisting in child care crèches and providing assistance in day care centres.

Deputy Nash suggested that because people are not progressing into employment, CE schemes may no longer be fit for purpose. Many young people coming out of university with PhDs are not progressing to employment in the current climate. It is wrong to suggest that if the rate of progression to employment is not what it should be, there is something wrong with the scheme. Far from it. CE schemes are keeping people's minds active. They give people a sense of purpose and a reason to get up in the morning. Despite this, it is being suggested that these schemes should be cut.

I am concerned about the level of payments to supervisors. Sadly, there is no pension scheme in place for these people. I appeal to the Government to address this matter at the earliest possible opportunity. These people have given much of their lives — 15 years or more — yet they are being ignored when it comes to retirement, which is dreadful. There are only a relatively small number involved. The Government needs to address this issue.

Deputy Maureen O'Sullivan: My involvement with community employment schemes extends back as far as the AnCo days, which pre-date FÁS. Consequently, I am familiar with the valuable work done by such schemes for and within the communities, as well as for the participants. Part of my experience has been with highly disadvantaged and long-term unemployed people in the north inner city. The schemes there gave the participants the opportunities to progress into the workplace and even into further training and education. Community employment schemes supply an array of services to communities and I refer to an internal report of the Department of Public Expenditure and Reform on child care and after-school schemes, which stated such schemes do not help people to get a job. I disagree because these schemes have given the parents of those children the opportunity to avail of schemes. In addition, one must recognise that certain schemes are mainly social in nature and are for extremely marginalised and vulnerable people. They provide such people with a focus for each day and what they do is invaluable in respect of enhancing confidence and self-esteem, as well as in providing courses on parenting skills, nutrition and health.

As for drug rehabilitation programmes, I acknowledge the recent positive response from the Minister of State, Deputy Shortall, about the ring-fenced places in this regard. Participants in such schemes have a history of little formal education, very low literacy and numeracy, mental health issues and general poor health. In addition, some have criminal records and extremely difficult family circumstances. They have been supported through the schemes, which have done monumental work. Some of those schemes had participants who were highly medicated when they joined the schemes but who now are drug-free, which is something on which the Minister of State, Deputy Shortall, is very keen. I know many of those involved and have attended such programmes where one can see men and women, boys and girls with their lives back. They do not cost the State what they would cost, were they still in addition or within the

[Deputy Maureen O'Sullivan.]

criminal justice system. They have gone on to employment, further education and act as support and as mentors for those struggling with their addictions.

The cuts will disproportionately affect certain people. While reviews are welcome, the manner in which this was announced was most unfortunate. It was followed by confused and contradictory messages and cuts were implemented while the review was going on. Finally, the review cannot be an exercise in filling in a form about expenditure. There is a different kind of review and a different balance sheet, which is about life and the effect on life. These schemes have let people back into society to become productive members of, and contributors to, community life and many of them have regained their families in the process. Moreover, they have not burdened this country in the way the faceless financial gangsters have.

Deputy Finian McGrath: First, I thank the Leas-Cheann Comhairle for the opportunity to speak in this important debate on community employment schemes. At the outset, I thank and commend Sinn Féin on bringing this matter before the House for this two-day debate. In addition, I hope the Minister and the Government will listen to the people on the ground, particularly those who are involved in community employment schemes. I must declare a special interest as I have been a voluntary director of the Northside Centre for the Unemployed in Coolock for more than 20 years. I am familiar with the valuable work carried out by those involved in community employment schemes. Only today, one of my constituents contacted me about his wife, who is a participant in a community employment scheme. I am glad the Minister of State, Deputy McEntee, is listening to this point. My constituent stated that last week the participants in his wife's community employment scheme did not get paid on the normal day, which is Thursday. No explanation was forthcoming and they eventually were paid on Friday. This week, the workers received a call to inform them their pay may not reach their bank accounts until next Monday as apparently, the community employment scheme overdraft has been cancelled by the bank. My constituent asked whether this is a new tactic being employed by the Department of Social Protection and others to save money at the expense of the people who need it most and stated it was a bloody disgrace. I raise this issue in this debate because it is important that people engaged in community employment schemes receive support, equality and respect.

In the real world, I visited Coolock last Monday where I listened to details of a highly valuable community employment scheme. It has dealt with many people who are at risk. Although it deals with dysfunctional people, that is, people with major problems in their personal lives in respect of finances and personal issues, at the same time, 66% of those involved came through the scheme and began to go out to work in the morning. Many of them commented it was a new lease of life for them and for their families. This is the positive side of community employment schemes and this also makes a positive contribution to the north side. Tonight, I call on the Government to reverse immediately the cut of 66% to community employment schemes' training and materials budget and to reinstate immediately the training and materials budget to 2011 levels. I also note the Department of Social Protection's review is creating confusion and frustration. Finally, I urge all Members to support this motion to ensure that all people participating in community employment schemes are treated with respect and dignity.

Debate adjourned.

The Dáil adjourned at 9.05 p.m. until 10.30 a.m. on Wednesday, 8 February 2012.

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 9, inclusive, answered orally.

Questions Nos. 10 to 60, inclusive, resubmitted.

Questions Nos. 61 to 72, inclusive, answered orally.

Garda Investigations

73. **Deputy John McGuinness** asked the Minister for Justice and Equality the total number of Garda personnel involved in the investigation into Anglo Irish Bank; and if he will make a statement on the matter. [6573/12]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that the investigations into Anglo Irish Bank by An Garda Síochána and the Office of the Director of Corporate Enforcement (ODCE) are ongoing with a full Investigation team employed at the Garda Bureau of Fraud Investigation. I am further informed that 26 members of An Garda Síochána are engaged in these investigations, comprising fifteen personnel at the Garda Bureau of Fraud Investigation, including fourteen Garda investigators and a forensic accountant as well as eleven members of An Garda Síochána seconded to ODCE.

The detailed deployment of Garda personnel is a matter for Garda management who inform me that they are satisfied there is sufficient personnel and technical expertise available to assist in the various aspects of ongoing investigations. I can assure the Deputy that this Government will continue to provide the necessary legislative and administrative supports for the investigations and that I attach the highest priority to the full investigation of white collar crime and bringing the perpetrators of such crime to justice. In particular, on taking office, this Government gave priority to satisfying itself that the necessary resources both personnel and legal were available to the investigation. Within eight weeks of taking up office, I moved urgently to draft and seek Government approval to the introduction of additional legislation. This new legislation, the Criminal Justice Act, 2011, was enacted on 2 August.

In the light of some misleading comments which have been made publicly, it is important that I make one point very clear: I have been advised by the Garda Commissioner that this

[Deputy Alan Shatter.]

investigation remains an absolute priority for An Garda Síochána, there has been no question of personnel changes being allowed to hamper in any way the investigation, nor will there be.

Proposed Legislation

74. **Deputy Jonathan O'Brien** asked the Minister for Justice and Equality his views on the recent Law Reform Commission Report on Mandatory Sentencing; his plans to amend the policy of mandatory sentencing for certain offences; and if he will make a statement on the matter. [6524/12]

Minister for Justice and Equality (Deputy Alan Shatter): I should say at the outset that the recent Law Reform Commission document referred to by the Deputy is a consultation paper on mandatory sentences which invites submissions from interested parties and is not a final report. The Law Reform Commission was asked by the previous Attorney General to look at the general question of mandatory sentencing. This was done at the instigation of the then Minister for Justice, Equality and Law Reform. The consultation paper recently published is a first step in that process. Among the issues raised are:

- sentencing guidelines;
- the possibility of a court when imposing the mandatory life sentence for murder, recommending a minimum term of imprisonment;
- not extending the presumptive minimum mandatory sentences regime that currently applies to drugs and certain other offences pending a review to determine its effectiveness in reducing criminality.

I look forward to receiving the Commission's final recommendations in due course and those recommendations will be given full consideration. However, I do not want to pre-empt the work of the Commission in finalising its recommendations by making any detailed comment in advance of receiving concrete proposals.

Prisoner Welfare

75. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice and Equality the position regarding the proposal for the Irish Prison Service to examine options for the development of prisoner welfare and resettlement functions generally; and if he will make a statement on the matter. [6525/12]

Minister for Justice and Equality (Deputy Alan Shatter): I can advise the Deputy that the Irish Prison Service is in the process of drafting a new Strategic Plan for 2012-2014 which will be presented to me, by the Director General, in the first week of April. The development of prisoner welfare and resettlement functions will form a central part of this Strategy, and will be considered by me in due course. In the meantime, the Irish Prison Service provides a range of rehabilitative programmes which have the dual purpose of providing prisoners with purposeful activity while serving their sentences and encouraging and equipping them to lead productive lives on release. Several programmes and services have a specific post-release focus. These include the Gate Service operated by Business in the Community Ireland (BITC) which provides a training, education, and employment placement programme for prisoners and ex-prisoners, and operates in seven of the country's fourteen institutions. The BITC Linkage Programme provides a similar service in the remaining institutions and operates in partnership with the Probation Service.

The BITC Mentoring Service which is jointly funded by the Prison Service and Dormant Accounts Funding is in place in Castlerea, Cork and the Training Unit. Mentoring has been shown internationally to have a positive impact on the resettlement and desistance of ex-prisoners. Focus Ireland operates a pilot homeless service in Cloverhill Prison which supports remand prisoners in accessing appropriate services and accommodation on the pathway to independent living. The project is supported by the Irish Prison Service, the Probation Service and the Health Service Executive (HSE). Homelessness support services are also provided in Cork and Limerick prisons.

A weekly clinic service is provided in ten prisons by the HSE Community Welfare Service through the Homeless Persons Unit (HPU). Referrals generally are at the pre-release stage and Community Welfare Officers provide information and clinic services, and arrange emergency and other accommodation options, supplementary benefits and fast tracked medical cards. The Prison Education Centres provide pre-release and post-release programmes aimed at assisting prisoner resettlement. Prisoner resettlement is also an objective of the Prison Service's integrated sentence management system and focuses on the prisoner's resettlement from the moment of committal to release. The Probation Service also works with prisoners assisting in coping with imprisonment, maintaining contact with family and dealing with areas of difficulty such as addiction. Probation Officers work with prison based teams to help offenders manage their sentence and to resettle back into the community without committing crime.

Legal Aid Service

76. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if he will indicate the number of applications for legal aid, in both a civil and criminal context, in each of the past three years to date in 2012; the number of applications pending; his future plans, if any, to improve the legal aid service with particular reference to meet the needs of those currently on waiting lists notwithstanding the current economic climate; and if he will make a statement on the matter. [6516/12]

Minister for Justice and Equality (Deputy Alan Shatter): As the Deputy is aware, the provision of legal aid within this State is split into two separate categories, namely civil legal aid and criminal legal aid. Under the Criminal Justice (Legal Aid) Act 1962, the courts, through the Judiciary, are responsible for the granting of legal aid. An applicant for legal aid must establish to the satisfaction of the court that his/her means are insufficient to enable him/her to pay for legal representation him/herself. The assignment of lawyers or the granting of aid are matters for the Court and, as such, are handled by the Judiciary. Civil Legal Aid on the other hand is provided by the Legal Aid Board. Under the terms of the Civil Legal Aid Act 1995, as passed by the Oireachtas, the Legal Aid Board is entirely independent in the operation of its functions and decisions on individual cases are a matter for the Board.

I wish to inform the Deputy that in 2009 there were 16,371 applications granted for civil legal aid and 55,664 criminal legal aid certificates granted by the District Courts. The equivalent figures for 2010 are 18,623 and 55,412 respectively and for 2011, the equivalent figures are 19,706 and 54,092 respectively. There are no figures yet available for 2012. I am informed that as of 1 January 2012, there are 4,443 civil legal aid applications waiting to be processed. There are no appointments or waiting lists associated with criminal legal aid.

I am very conscious of the challengers facing the Legal Aid Board as a result of rising demand and limited resources and have actively worked to mitigate the challenges they are facing. I have ensured that the Board's grant-in-aid for general civil matters, which accounts for the vast majority of its funding, has effectively been maintained for 2012 at its 2011 level. I

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have also now incorporated the grant for asylum services into the grant-in-aid which should give the Board greater flexibility in using its resources. There are a number of other measures taken or being taken by the Board which I believe can have a positive impact for persons seeking services including:

- The Board assuming responsibility for the Family Mediation Service;
- The arrangements on foot of which barristers are retained have been in place since 1998 and are currently under review;
- The Board is working with individual law centres with a view to trying to deliver greater efficiencies in a number of its centres;
- The Board will be piloting a ‘triage’ service commencing next month;
- The Board is involved with the Courts Service and the Family Mediation Service in a pilot integrated mediation initiative in Dublin;
- The Board is developing a new legal case management system that is likely to improve the efficiency of service delivery and the management of risk in the organisation;
- The Board has utilised to a significant extent the National Internship Scheme;
- The Board is examining the scope of the civil legal aid services that come within the ambit of the Civil Legal Aid Scheme and how those services can be further prioritised to ensure that those most in need of its services can access them effectively.

I am confident that both the Board and management of the Legal Aid Board are very focussed on deploying their resources in a manner designed to ensure the continued availability of quality front line services and I expect that some of the changes now being introduced will, over a period of time, have a significant positive impact on service delivery.

Garda Operations

77. **Deputy Derek Keating** asked the Minister for Justice and Equality if he will give details of the plan of action of An Garda Síochána to deal with the problem of cross-Border fuel smuggling; and if he will make a statement on the matter. [6511/12]

Minister for Justice and Equality (Deputy Alan Shatter): The House will appreciate that it is the Revenue Commissioners who take the lead role in investigating fuel laundering and smuggling in this jurisdiction and are supported in that role by An Garda Síochána. An Garda Síochána remains fully committed to providing the necessary support to the Revenue Commissioners. Searches are regularly undertaken by members of An Garda Síochána, at the behest of the Revenue Commissioners as part of intelligence-led operations led by Customs. These searches have resulted in the arrest of persons involved in such activities, significant seizures of diesel and the closure of diesel-laundering plants, particularly in border counties. These operations also target individuals involved in the dumping of illegal waste products associated with the laundering of diesel. Furthermore, the Criminal Assets Bureau has and will continue to deploy all the resources at its disposal in countering such criminal activity. The Bureau has seized properties and cash belonging to those involved in such crime and continues to assist other national units in the preparation of criminal prosecution files against some of the major players involved in this trade.

In addition to this, arising from a Cross Border Organised Crime Co-operation initiative established under the auspices of the Department of Justice, Northern Ireland, and my own Department, a multi-agency Cross Border Fuel Fraud Enforcement Group has been in place since 2008 to specifically deal with the illicit trade in mineral oil. This group, which meets on a regular basis, is comprised of representatives from a wide range of Departments and Agencies from both jurisdictions, including An Garda Síochána. Since its establishment, this group has continued to successfully target a number of groups involved in the laundering and distribution of illegal fuels operating in both jurisdictions and will continue to introduce and implement new targeted initiatives to further tackle such criminality. I can assure the Deputy that all of the agencies involved will continue to have the full support and backing of the Government in tackling criminality in this area.

Departmental Expenditure

78. **Deputy Peadar Tóibín** asked the Minister for Justice and Equality the cost to him of the Garda presence at Bellanaboy Shell refinery, County Mayo, each year since 2006; the cost to date with a breakdown of the Garda ranks, the salaries paid including basic salary, overtime, transfer allowance and so on; the projected costs of this exercise; and if he will make a statement on the matter. [6541/12]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that the additional costs arising for the Gardaí from the policing operation of the Shell Refinery project at Bellanaboy from 2006 to December 2011 is €14,566,262. I am enclosing a detailed breakdown of the figures as a tabular statement with this reply. The figures do not include the basic salaries as these are incurred in the normal course as part of Garda rostered hours. It is not possible to further break down the figures into the various ranks without the disproportionate expenditure of Garda time and resources relative to the information sought.

I am further advised by the Garda authorities that they are not in a position to provide projected costs in relation to future policing operations at the Shell Refinery. Those operations arise from the need for the Gardaí to respond to protest action in the vicinity of the gas terminal in order to prevent public order offences, to enable persons to go unimpeded to and from their place of work and to enable the construction of the refinery and pipeline to be completed. The level of protest activity fluctuates and as such a projection of likely costs is not possible.

It is deeply regrettable that so much Garda resources have to be tied up at the North Mayo site. However this is absolutely necessary in view of the actions of some of the protestors — many of whom are not from the area and who engage in a form of protest tourism — who have engaged in acts of public disorder as well as damage to property. Such action cannot be tolerated and the Garda presence is there to prevent it.

The House will appreciate that, at a time when many people are under severe financial pressure because of our very difficult economic circumstances, it is scandalous that some protesters behave in a self indulgent way that has no regard for the rights of others. In turn, this requires the expenditure of a substantial amount of taxpayers' money which could be devoted to far better purposes if it was not for the actions of many of those involved in the protests. In addition, this type of behaviour runs completely contrary to the public and national interest and furthermore will act as a disincentive to inward investment and the development of our national resources. An Garda Síochána have my full support in taking all necessary action within the law to deal with their activities.

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Tabular Statement for PQ 6541/12

Subhead description	2006	2007	2008	2009	2010	2011	Total
	€	€	€	€	€	€	€
Overtime and Allowances	923,574	2,693,706	2,206,333	2,539,352	315,400	449,084	9,127,449
Travel and subsistence	410,857	1,999,970	846,851	737,031	246,279	416,403	4,657,391
Employers PRSI	47,842	127,401	106,181	144,716	18,748	29,091	473,979
Miscellaneous Expenses	57,219	84,400	31,663	75,111	39,899	19,151	307,443
Total	1,439,492	4,905,477	3,191,028	3,496,210	620,326	913,729	14,566,262

79. **Deputy Mary Lou McDonald** asked the Minister for Justice and Equality the amount of the 2012 capital allocation to the Irish Prison Service that will be spent specifically on improving conditions at Cork prison; and if he will make a statement on the matter. [6538/12]

Minister for Justice and Equality (Deputy Alan Shatter): I can advise the Deputy that the Irish Prison Service is in the process of drafting a new Strategic Plan 2012-2014 which will be presented to me, by the Director General, in the first week of April. The Irish Prison Service is also preparing a 40 month Capital Expenditure Plan which will form a central part of this Strategic Plan. While it is not possible at this time to be specific on the funding for use in respect of Cork prison, I can advise the Deputy that as part of this process, a plan has been drafted by the Irish Prison Service to address the issues of lack of in cell sanitation and inadequate physical infrastructure in the prison. That plan is currently being considered and an announcement will be made in due course.

Garda Disciplinary Proceedings

80. **Deputy Pearse Doherty** asked the Minister for Justice and Equality if he has completed a review of the discipline regulations within An Garda Síochána; the date on which he will introduce new regulations; and if he will make a statement on the matter. [6544/12]

Minister for Justice and Equality (Deputy Alan Shatter): A review of the Garda Síochána (Discipline) Regulations 2007, involving all parties to the process, is under way. It is anticipated that the review will be completed in 2012 and new regulations introduced thereafter.

Courts Service

81. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality if his attention has been drawn to the fact that the limited number of registrars due to the public sector recruitment embargo is having a negative impact on the number of cases that can be heard in the High Court; if he is monitoring the delays that this is causing; and his plans to rectify this matter. [6540/12]

Minister for Justice and Equality (Deputy Alan Shatter): Under the provisions of the Courts Service Act 1998, the management of the courts is the responsibility of the Courts Service, which is independent in exercising its functions. To be of assistance to the Deputy, I have had enquiries made. The Courts Service has informed me that, in allocating resources, the Courts Service is prioritising the provision of its front line services, including court sittings. The full complement of High Court registrars is 28 and there are three vacancies. These posts have

been identified as key operational posts. Discussions are under way with the Department of Public Expenditure and Reform to fill these vacancies. I am informed that every effort is being made, in conjunction with the President and the judges of the High Court, to limit the impact of these vacancies on court hearings. A contingency plan has been implemented with the agreement of the President of the High Court whereby temporary provisions have been made in respect of two of the three current vacancies. I am informed that due to this contingency plan and the continued efforts of management and serving registrars, the impact on waiting times for trials has so far been minimised. The service will continue to work with the President of the High Court in keeping waiting times under review and supporting court hearings.

Garda Inspectorate

82. **Deputy Sandra McLellan** asked the Minister for Justice and Equality if he has brought a report, Responding to Child Sexual Abuse, by the Garda inspectorate to the Cabinet; the date on which he will lay the report and addendum before the Houses of the Oireachtas; the date on which he will publish a response to the recommendations contained in the report; and if he will make a statement on the matter. [6546/12]

Minister for Justice and Equality (Deputy Alan Shatter): I can inform the Deputy that the Government has taken note of the Garda Inspectorate report, Responding to Child Sexual Abuse, and that the report and a document responding to the report's recommendations were laid before the Houses of the Oireachtas on 1 February 2012. The report and the response document were also published on my Department's website, *www.justice.ie*, on that date. I am grateful to the inspectorate for its analysis and recommendations which are focused on improving the investigation of child sexual abuse and better protecting children. The Government and I are determined to ensure an effective collaborative response to child sexual abuse is in place and the substantial progress being made in this regard is set out in the response document.

Prison Deaths

83. **Deputy Gerry Adams** asked the Minister for Justice and Equality if he will establish an office of prisoner ombudsman to investigate all deaths in the custody of the Irish Prison Service to ensure equivalency of human rights guarantees as part of the State's obligations under the Good Friday Agreement. [6532/12]

Minister for Justice and Equality (Deputy Alan Shatter): All deaths of prisoners are subject to independent investigation. Every case of a death in prison custody is the subject of a Garda investigation and an inquest held in a Coroner's Court. The cause of death is determined by a jury on the basis of the information presented to the court. There are procedures in place within the Irish Prison Service for the investigation of all deaths in custody. New procedures were drawn up by the Irish Prison Service to provide for the investigation of all deaths in prison to be conducted by independent people. In addition, a number of statutory measures are available for investigating deaths and are used as appropriate. In particular, the office of the Inspector of Prisons has been established on a statutory basis since 2007 by virtue of Part 5 of the Prisons Act 2007 and is independent. The inspector has an important role in ensuring there is effective independent oversight of our prison system and has my full support in carrying out his remit, which includes the investigation of deaths in appropriate cases. He and my Department are in discussions as to how best to address the issue.

Prison Accommodation

84. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice and Equality if a meeting

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of governors and doctors has been held advising of new procedures that govern the use of safety observation cells and close supervision cells as set out in the action plan on Limerick prison. [6526/12]

Minister for Justice and Equality (Deputy Alan Shatter): I wish to advise the Deputy that meetings have taken place with the Governors and prison doctors regarding the new procedures for the operation of safety observation cells and close supervision cells. The Irish Prison Service is finalising the policies and procedures which will underpin the future operation of these cells. When this is completed, further meetings will be arranged with all relevant stakeholders operating in prison settings to ensure the new arrangements are uniformly applied.

Proposed Legislation

85. **Deputy Seán Crowe** asked the Minister for Justice and Equality the position regarding the work of the expert group looking at the Criminal Assets Bureau who are reviewing the proceeds of crime legislation and the date in early 2012 that their paper will be published; the details of the membership of this group; and the details of the costs of running same. [6548/12]

Minister for Justice and Equality (Deputy Alan Shatter): As the Deputy is aware, an expert group, established under the auspices of my Department, is engaged in a comprehensive review of the Proceeds of Crime legislation with a view to identifying possible improvements that would serve to strengthen the operation of the Criminal Assets Bureau. A number of matters are being reviewed by the group, including decreasing the amount of time which must elapse before criminal assets which have been frozen become the property of the State; increasing the powers of receivers over properties to immediately deprive criminals of the use of those properties; short-term seizure of assets believed to be the proceeds of crime pending determination by the courts; and further improving measures supporting international co-operation. The expert group comprises representatives of the Crime and Criminal Law Reform Divisions of my Department, the Chief Bureau Officer and Bureau Legal Officer of the Criminal Assets Bureau and a representative of the Office of the Attorney General. I expect the group to have concluded its work early this year. When that happens, I intend to make available, in due course, the outcome of that review and to bring forward my proposals in the normal way. It is not possible to provide the Deputy with a particular date for when the outcome of the group's work will be made available. The work of the expert group has not given rise to any additional costs.

Garda Vetting of Personnel

86. **Deputy Michael McNamara** asked the Minister for Justice and Equality the reason Garda clearance documents are only given to companies or organisations which have registered with the Garda clearance centre and documents are not issued to persons living here or organisations or individuals located abroad despite the fact that many Irish persons require such clearance to take up jobs with foreign companies; and if he will make a statement on the matter. [6198/12]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that Garda vetting certificates for employment purposes are only provided for those seeking employment in Ireland with registered organisations where the employment involves substantial unsupervised access to children or vulnerable adults. The service is provided by the Garda Central Vetting Unit. A phased roll-out of employment vetting is being carried out to ensure the most critical sectors are covered initially while not overburdening the system that is being developed. Unfortunately, this means that criminal history vetting for general employ-

ment purposes, here or abroad, is not available on demand. The Garda vetting certificate is also non-transferable. It is important to emphasise that it is a disclosure to the requesting, registered organisation of the position at the time when it is issued. Furthermore, non-transferability protects against the risk of fraud or forgery of such certificates and is a guarantee of the integrity of the vetting system. I am further advised that Police Certificates of Character are provided for the purposes of foreign consular and immigration requirements and for foreign business establishment. An individual may apply to the Garda Síochána for a disclosure under section 4 of the Data Protection Act 1988 (as amended) for a copy of the personal data which is maintained by An Garda Síochána. Such a disclosure is made to the individual to whom the data relates.

Garda Deployment

87. **Deputy Michael Colreavy** asked the Minister for Justice and Equality the manner in which, under section 30(4) of the Garda Síochána Act 2005, the Garda Commissioner decides the fees to charge for police services on a non-public duty basis for commercial events such as sports fixtures and concerts; if the fees charged cover the total costs of Garda involvement in such events; and if he will make a statement on the matter. [6536/12]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that the cost to the event holder is determined by the number of gardaí deployed at a particular event. The operational policing plan for a particular event is formulated by local operational management. I am further informed that An Garda Síochána does not recover the full cost of policing such events.

White Papers

88. **Deputy Jonathan O'Brien** asked the Minister for Justice and Equality the increases in supports, both in staffing and resources, he will give to the Probation Service to enable it to work with more offenders in the context of his initiatives which attempt to reduce prison numbers coupled with the public sector recruitment embargo. [6523/12]

Minister for Justice and Equality (Deputy Alan Shatter): I understand the Deputy is referring to the introduction of a pilot project, the Community Return scheme, in October, 2011 under which offenders who pose no threat to the community are offered earned early temporary release in return for supervised community service. I understand that the Probation Service has sufficient resources to support the scheme at present. Should additional resources be required, that will of course be considered in due course.

89. **Deputy Mary Lou McDonald** asked the Minister for Justice and Equality the civil society organisations or other organisations he has engaged with in the context of the White Paper on Crime process; and the date on which this paper will be published. [6537/12]

Minister for Justice and Equality (Deputy Alan Shatter): I can inform the Deputy that consultation has been central to the development of the White Paper on Crime and was principally structured around four discussion documents. As part of this process my Department has consulted extensively across Government, non-Governmental and community sectors, as well as with individual members of the public. Consultation has taken place both through seminars and written submissions in response to advertisements for submissions. Over the course of the White Paper process, some 650 people attended consultation meetings and 182 submissions were received. Documents summarising the outcomes of each of the four consultation stages

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of the process are published on the Department's website *www.justice.ie* and include lists of those organisation and individuals who made written submissions.

I can confirm that work on the development of a White Paper on Crime is at an advanced stage and is expected to be completed this year.

Proposed Legislation

90. **Deputy Brian Stanley** asked the Minister for Justice and Equality if he will bring forward the date of publication of the inspection of places of detention Bill. [6527/12]

Minister for Justice and Equality (Deputy Alan Shatter): The General Scheme of a Bill relating to inspections of places of detention is being prepared in my Department. This is intended, inter alia, to enable ratification of the Optional Protocol to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT).

When the General Scheme has been completed, I will be seeking Government approval for its publication to facilitate a consultation exercise in advance of drafting and publication of the Bill. At this stage, it is not possible to indicate when the Bill will be published.

Question No. 91 answered with Question No. 66.

Organised Crime

92. **Deputy Sandra McLellan** asked the Minister for Justice and Equality if his attention has been drawn to the fact that no person to date has been convicted under gangland legislation, specifically of the provisions contained in the Criminal Justice (Amendment) Act 2009 in regard to organised criminal activity; and if he plans to introduce any new initiatives to tackle organised crime. [6545/12]

Minister for Justice and Equality (Deputy Alan Shatter): I have previously indicated to the House my intention to keep under review the legislative framework underpinning the State's response to organised crime to see whether any further improvements could be made to render it more effective.

Further to this, my Department is currently undertaking a specific review of the provisions of the Criminal Justice (Amendment) Act 2009, to which the Deputy refers, to see if its provisions can be strengthened.

Figures available with regard to the operation of the 2009 Act up to 31st January 2012 indicate that, although no convictions have been recorded, the legislation has been used on 160 occasions where arrests have been made relating to organised crime activity and eight individuals have been charged under the provisions.

Two persons had been charged under Section 71A of the Criminal Justice Act 2006 as inserted by section 5 of the Criminal Justice (Amendment) Act 2009 (directing a criminal organisation) and six persons charged under Section 72 of the Criminal Justice Act 2006 as inserted by section 6 of the Criminal Justice (Amendment) Act 2009 (participating etc in organised crime).

I can assure the Deputy that An Garda Síochána continues to vigorously tackle organised crime through undertaking a range of activities designed to disrupt and dismantle the operations of criminal organisations.

The Garda Síochána Policing Plan 2012 sets out the key actions in tackling organised crime for the year ahead, which includes a focus on drug trafficking, e-crime, financial crime, and the targeting of organised gangs through a number of measures, including the use of intelligence and analysis to inform operations against organised crime groups.

With regard to forthcoming legislative proposals, I shall be bringing forward proposals for changes in the Proceeds of Crime legislation to increase the powers available to the Criminal Assets Bureau. Financial gain will always be a focus of organised criminal activity and measures that target the proceeds of such activity are key to tackling such operations.

Where there is an identified requirement for additional legislative provisions to further enhance existing provisions tackling organised crime, I will not hesitate in bringing forward proposals.

Proposed Legislation

93. **Deputy Denis Naughten** asked the Minister for Justice and Equality his views on the establishment of an independent debt resolution agency as proposed by the free legal advice centres; and if he will make a statement on the matter. [5520/12]

Minister for Justice and Equality (Deputy Alan Shatter): The Deputy will be aware that, having obtained Government approval for urgent drafting by the Office of the Attorney General and Parliamentary Counsel, I published the text of the General Scheme of the Personal Insolvency Bill on 25 January last.

There is a requirement under the EU/IMF Programme of Financial Support for Ireland to publish the Bill in Quarter 1 of 2012 — since extended to end of April. The Bill will also fulfil the relevant commitment in the Programme for Government.

The Bill will provide for a new framework for settlement of debt and for personal insolvency. The proposed reform will consist of following main elements:

- a revised judicial process (bankruptcy) to provide for a 3 year period for automatic discharge from bankruptcy from the current 12 years.
- the introduction of a new non-judicial debt settlement process for unsecured debt only amounting to over €20,000 (Debt Settlement Arrangement).
- the introduction of a new non-judicial debt settlement process for both secured and unsecured debt amounting to over €20,000 (Personal Insolvency Arrangement) (secured debt will primarily relate to property debt, be it residential, commercial and investment).
- the introduction of a new debt forgiveness process (Debt Relief Certificates) for low level indebtedness where the debtor has effectively no income and no assets and has unsecured debts amounting to up to €20,000.

Critical to the operation of the new debt settlement processes will be the establishment of an Insolvency Service. This will be an independent statutory agency.

Prison Conditions

94. **Deputy Gerry Adams** asked the Minister for Justice and Equality if he is satisfied that the current procedures regarding deaths in prison custody comply with the terms of the European Convention on Human Rights. [6531/12]

Minister for Justice and Equality (Deputy Alan Shatter): I am satisfied that the current procedures regarding deaths in prison custody fully comply with the European Convention on Human Rights. The jurisprudence of the European Court of Human Rights requires that there should be some form of an effective official investigation when individuals have been killed as a result of the use of force and this includes the death of a prisoner even if that prisoner died from acts of violence of another prisoner. The Court also stated that the form of investigation may vary in different circumstances. The suite of investigations available to inquire into the killing of a prisoner can include:

- (i) an inquest under Coroner's Act 1962;
- (ii) a Garda criminal investigation possibly leading to a criminal trial;
- (iii) civil proceedings;
- (iv) an investigation by the Inspector of Prisons pursuant to section 31 of the Prisons Act 2007;
- (v) a commission of investigation under the Commission of Investigation Act 2004;
- (vi) a tribunal of inquiry under the Tribunal of Inquiry (Evidence) Acts.

All prisoner deaths are automatically the subject of a Garda investigation and an inquest held in a Coroner's Court. The cause of death is determined by a jury on the basis of the information presented to the Court. The bringing into play of the other measures can depend on the circumstances of the death. For example a commission of investigation was established to look into the circumstances surrounding the death of Gary Douch and the Inspector of Prisons is looking into the death of Shane Rogers.

We are currently reviewing the procedures for the investigation of prisoner deaths to determine if procedures can be further improved.

Garda Strength

95. **Deputy Martin Ferris** asked the Minister for Justice and Equality if he has directed the Garda Commissioner on the issue of the reduction of personnel in the Garda Síochána; and if he will make a statement on the matter. [6534/12]

Minister for Justice and Equality (Deputy Alan Shatter): The strength of the Garda Síochána at the end of 2011 was just under 13,900, along with over 2,000 civilian support staff and over 800 Garda Reserve members.

I am informed by the Garda Authorities that the total number of Garda retirements from the Force in the first two months of this year is expected to be around 300. To put that figure into context, in 2009 the number of retirements was 722, in 2010 it was 362, and last year it was 436.

As the Deputy will be aware, these reductions form part of a wider programme aimed at reducing the size of the public service, and will contribute to reducing expenditure and complying with the terms of the EU-IMF agreement. Of course, what will ultimately determine the sustainable level of Garda numbers is the level of budgetary provision that can be made for the Force, and the House will be conscious that difficult decisions will continue to have to be made, right across the public sector, in order to bring our public finances back into balance.

The Deputy will also be aware that the Commissioner, in consultation with his senior management team, is responsible for the detailed allocation of resources, including personnel, throughout the organisation.

Proposed Legislation

96. **Deputy Catherine Murphy** asked the Minister for Justice and Equality if he will outline the specific process he intends to propose for the appointment of approved intermediaries as mentioned in head 27 of the proposed draft scheme of the personal insolvency Bill 2012; and if he will make a statement on the matter. [6522/12]

Minister for Justice and Equality (Deputy Alan Shatter): The Personal Insolvency Bill, the Heads of which I published on 25 January 2012, introduces a number of new non-judicial debt settlement systems. One of those systems — the Debt Relief Certificate (DRC) — provides for the writing-off of debt where debtors with no assets and no income may be unable to meet qualifying debts totalling not more than €20,000. The purpose is to create an efficient non-judicial means, of allowing persons to resolve unmanageable unsecured debt problems.

The intention is that the approved intermediary will assist debtors at the application stages of the process and will submit the completed applications on their behalf to the Insolvency Service for decision. While it is not stated in the Heads of the Bill, organisations such as MABS could operate as the approved intermediary if they wish. In this regard I should mention that it remains to be determined, in consultation with the Department of Social Protection, how MABS might take on such a role (as recommended by the Law Reform Commission in their Report on Personal Debt).

Other organisations might also be involved in the processing of DRC applications. These would most likely be non-profit organisations as a viable business model for money advisors or personal insolvency trustees would not appear to apply in the context of a DRC.

Road Traffic Offences

97. **Deputy Seán Crowe** asked the Minister for Justice and Equality the revenue received in fixed charges paid by speeding drivers as a result of detections by cameras operated by an outsourced safety camera network since its contract concluded in November 2009. [6547/12]

Minister for Justice and Equality (Deputy Alan Shatter): Speed cameras save lives through the reduction of fatal and serious-injury speed-related collisions.

The outsourced safety camera network commenced operations in November 2010 and is currently providing 6,000 speed monitoring hours and 1,475 speed survey hours per month across the country. I am informed that up to the end of 2011 a total of €10.624m has been received on foot of fixed charge notices issued in relation to speeding detected by the service provider. The service provider is paid on the basis of enforcement and surveying hours conducted, and the rates are not linked in any way to the number of detections made.

Prison Visiting Committees

98. **Deputy Martin Ferris** asked the Minister for Justice and Equality the position regarding his plans to reform the prison visiting committees; and the way in which new members will be appointed to same. [6533/12]

Minister for Justice and Equality (Deputy Alan Shatter): I have previously stated my intention to strengthen the independent oversight of our prisons. Under new legislation to be prepared, I intend to make Visiting Committees more effective while they continue their role of

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visiting prisons, meeting with prisoners, and liaising on their behalf with prison authorities. The arrangements for membership of the Committees will be changed and a link will be established between the Visiting Committees and the Inspector of Prisons. As part of these plans, it is intended to expand the Inspector of Prisons's role which I believe will greatly enhance his independent oversight of the prison system.

Under these proposed new arrangements, Visiting Committees will report regularly to the Inspector of Prisons on issues they may wish to bring to his attention. Any urgent or major issue may be reported to the Inspector at any time. Each Visiting Committee will comprise no more than six members, and only suitable people with appropriate qualifications and a genuine interest in prison issues will be appointed.

The current role of the Inspector of Prisons and the Prison Visiting Committees are set out in statute. My proposals for change will therefore require amending legislation and I will be bringing forward Heads of a Bill for Government approval in due course.

In the meantime I am presently in the process of making appointments to Visiting Committees and within the last few days have written to the people concerned informing them of their appointment.

Garda Stations

99. **Deputy Clare Daly** asked the Minister for Justice and Equality if he will explain the rationale behind the cutting of hours in which Malahide Garda station, County Dublin, will be open; and if he will reconsider this decision. [6383/12]

Minister for Justice and Equality (Deputy Alan Shatter): In reaching a decision on the closure and the reduction of public opening hours of Garda stations, the Commissioner reviewed all aspects of the Garda Síochána's policing model, including the deployment of personnel, the utilisation of modern technologies and the operation of Garda stations, both in terms of opening hours and possible closures. In addition, all Divisional Officers were asked to assess the level of activity in each Garda Station in their area.

It must be stressed that the key objective of the review is to promote the more efficient and effective deployment of resources rather than secure modest cash savings. In this context the Commissioner has concluded that Garda resources could be better deployed and more effectively used on the frontline if the public offices in some stations, including Malahide, no longer had to be staffed and maintained on a 24 hour basis. There are no plans to review that decision.

National Women's Strategy

100. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice and Equality the details of his review of the national women's strategy; and if he will make a statement on the matter. [6550/12]

Minister for Justice and Equality (Deputy Alan Shatter): The National Women's Strategy was launched by the previous Government in 2007 as a policy document in relation to the advancement of women in all areas of Irish society for the period 2007-2016. Its three key themes of equalising socio-economic opportunity for women, ensuring the wellbeing of women and engaging women as equal and active citizens largely correspond with the aims of the Programme for Government for National Recovery in fostering gender equality.

Progress on the implementation of the Strategy is monitored by a committee chaired by my colleague, Minister of State Kathleen Lynch. An annual Progress Report is made available on

my Department's website. The Strategy also contains a commitment to periodically undertake an evaluation of the Strategy to assess its effectiveness within the operating environment and in light of changing circumstances.

The first such review of the Strategy is currently ongoing in my Department. It is anticipated that this report will be finalised in Spring 2012 and may be submitted to Government prior to its publication.

Prisoner Complaints Procedures

101. **Deputy Brian Stanley** asked the Minister for Justice and Equality if he will introduce an independent complaints mechanism for prisoners here. [6528/12]

Minister for Justice and Equality (Deputy Alan Shatter): The Prisons (Visiting Committees) Act 1925 provides for a Visiting Committee to be constituted for every prison in the State and one of the statutory duties of such committees is to hear any complaints which may be made to them by a prisoner. Under new legislation to be prepared, I intend to make Visiting Committees more effective while they continue their role. The arrangements for membership of the Committees will be changed and a link will be established between the Visiting Committees and the Inspector of Prisons.

There are also procedures within the Irish Prison Service for the investigation of complaints by prisoners. I am not satisfied that the existing IPS procedures are sufficiently robust and independent of the local staff to meet best practice for the investigation of serious complaints. It is my intention to bring forward amendments to the Prison Rules 2007 which will introduce an independent element to the investigation. I have asked the Inspector of Prisons to give consideration to this matter and to advise me as to the most appropriate approach to be taken in an Irish context so as to ensure compliance with best international practice. The Inspector's views will then be taken into account in relation to the framing of the amended Rules in this regard.

The Deputy can be assured that every effort will be made to finalise this work as soon as possible.

Garda Stations

102. **Deputy Denis Naughten** asked the Minister for Justice and Equality if he will review the implementation of the plan to close rural Garda stations announced in December 2011; and if he will make a statement on the matter. [6201/12]

Minister for Justice and Equality (Deputy Alan Shatter): In reaching a decision on the closure of Garda stations, the Commissioner reviewed all aspects of the Garda Síochána's policing model, including the deployment of personnel, the utilisation of modern technologies and the operation of Garda stations, both in terms of opening hours and possible closures. In addition, all Divisional Officers were asked to assess the level of activity in each Garda Station in their area.

It must be stressed that the key objective of the station closures is to promote the more efficient and effective deployment of resources rather than secure modest cash savings. In this context the Commissioner has concluded that Garda resources could be better deployed and more effectively used on the frontline if these particular stations no longer had to be staffed and maintained. There are no plans to review those decisions.

The Garda Commissioner has reiterated the commitment of An Garda Síochána to providing a professional and effective service to the community. Each Divisional Officer with responsi-

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bility for a Division that will be affected by this decision has been tasked with developing a comprehensive consultation strategy together with a tailored implementation plan that will meet the particular needs of their Division. They will consult with the various stakeholders within their respective Divisions during this process.

The priority will remain, that an effective and professional policing service is provided to every part of the community, both rural and urban.

Official Travel

103. **Deputy Terence Flanagan** asked the Taoiseach if a date regarding his trip to China has been agreed yet; the programme content; and if he will make a statement on the matter.

[6203/12]

The Taoiseach: The Government attaches great importance to developing our trade and bilateral links with our Asian partners and in particular with China.

I hope to travel to China later this year. Our Embassy is following the matter up with the authorities in Beijing with a view to agreeing mutually acceptable dates for the visit.

Job Losses

104. **Deputy Thomas P. Broughan** asked the Taoiseach the key sectors of the economy in which jobs have been lost since the first quarter of 2011; and if he will make a statement on the matter. [5798/12]

Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe): The Quarterly National Household Survey (QNHS) is the official source of estimates of employment in the State. It should be noted that the specific information regarding job losses requested by the deputy is not available as the QNHS is a measure of the level of employment only. Changes in the level of employment therefore are a function of both jobs lost and jobs created over the period in question. The most recent figures available for employment levels are for the third quarter of 2011.

Estimates of the level of employment by sector up to and including the third quarter of 2011 are presented in the table below. Given the seasonal nature of changes in employment across the year the estimates presented have been seasonally adjusted. Between the first and third quarters of 2011 there has been some level of fluctuation in numbers employed across all sectors of the economy with increases being recorded in some cases and decreases being recorded in others. As mentioned in the first paragraph above, a decline in employment in a sector is not a measure of the jobs lost within that sector. As the QNHS is a sample survey the CSO urges some caution in interpreting changes of relatively low orders of magnitude.

Seasonally Adjusted Series of persons aged 15 years and over in employment (ILO) classified by NACE Rev. 2 Economic Sector, Quarter 1 — Quarter 3 2011

Economic sector

	(NACE Rev. 2)	Q1 2011	Q2 2011	Q3 2011
	<i>All persons</i>			
A	Agriculture, forestry and fishing	85.7	85.5	80.5
B-E	Industry	235.3	232.3	230.7
F	Construction	108.1	106.3	107.5

	(NACE Rev. 2)	Q1 2011	Q2 2011	Q3 2011
G	Wholesale and retail trade; repair of motor vehicles and motorcycles	262.8	264.9	266.0
H	Transportation and storage	93.9	95.0	94.5
I	Accommodation and food service activities	103.6	108.3	109.7
J	Information and communication	70.5	73.5	73.7
K-L	Financial, insurance and real estate activities	100.6	102.7	98.1
M	Professional, scientific and technical activities	102.0	100.8	97.3
N	Administrative and support service activities	62.7	65.3	64.6
O	Public administration and defence; compulsory social security	107.0	99.9	100.7
P	Education	147.7	144.4	143.3
Q	Human health and social work activities	232.8	237.9	236.0
R-U	Other NACE activities	103.9	98.4	95.0
	Total Employment	1,818.6	1,814.5	1,794.0

Reference period: q1=Jan-Mar, q2=Apr-Jun, q3=Jul-Sep;

Source: Quarterly National Household Survey, Central Statistics Office.

Departmental Bodies

105. **Deputy Michael McCarthy** asked the Taoiseach if he will issue a breakdown of the remuneration packages in place for chief executive officers of all semi-State companies as of 27 January 2011, specifying in detail any bonus, pension, expenses arrangements or otherwise; and if he will make a statement on the matter. [6457/12]

The Taoiseach: The National Economic and Social Development Office (NESDO) is the only State Agency under the aegis of my Department. The NESDO was established under the NESDO Act 2006 and is the body corporate for the National Economic and Social Council (NESC).

The Chief Officer of the National Economic and Social Development Office (NESDO) is also the Director of the National Economic and Social Council (NESC). He is paid for his role as Director of NESC at Assistant Secretary level in accordance with the relevant Pay Circular issued by the Department of Public Expenditure and Reform. He receives no additional salary for his role as Chief Officer of NESDO.

In addition to his salary, the Director receives an allowance of 16.66% of salary in lieu of pension. The Director is entitled to claim travel and subsistence expenses in line with the relevant Department of Public Expenditure and Reform Circulars. No bonus arrangements apply.

Income Statistics

106. **Deputy Sean Fleming** asked the Taoiseach the reason there was more than a two year time lag when the Central Statistics Office issued county incomes and regional GDP for 2009 in view of the fact that this statistical release was issued on the 26 January 2012; if measures will be put in place to ensure that information on this basis is issued within 12 months of the end of the year to which it relates; and if he will make a statement on the matter. [6678/12]

Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe): The compilation of the Regional Accounts and County Incomes requires detailed accounting data at regional or county level. This is mainly provided through the structural business surveys conducted by the CSO e.g. the Census of Industrial Production and the Annual Services Inquiries. Final results of these inquiries only become available approximately eighteen months after the end of the year to which they relate. Account must be taken of the fact that, in order to facilitate businesses, data can be provided for the nearest accounting year in these surveys. The accounting years of some firms can relate to the year ending in May, for example, and in such cases an inquiry form may not even be issued to these companies until some months after the end of the year. The main delay is in the completion and return of the survey forms by enterprises.

It should be noted that Ireland meets its international deadlines for the completion of the Regional Accounts by transmitting data to the EU Commission within two years of the reference year. The fact that the Commission allows two years for the transmission of the data indicates that this is the earliest date by which most member states could provide the results. The results for Ireland are not unduly delayed therefore by comparison with other member states.

The CSO could not commit itself to produce the results within 12 months of the end of the reference year as the matter is not entirely within their control. However every effort is being made by the CSO to shorten the time limit within which results of its inquiries are published. Several initiatives have been taken in the survey areas such as the use of electronic versions of the forms etc. to improve the timeliness of response. CSO will continue with its endeavours in this regard and is mindful of users' requirements to obtain results of the Regional Accounts and County Incomes at the earliest possible date.

Constitutional Convention

107. **Deputy Seán Kyne** asked the Taoiseach if he would indicate when the constitutional convention will take place; and the form he envisages it will take. [6908/12]

108. **Deputy Seán Kyne** asked the Taoiseach the issues which will be examined and debated through the constitutional convention; and if civil marriage for citizens who are gay or lesbian will be on the agenda for debate and subsequent introduction to ensure equality among citizens. [6909/12]

The Taoiseach: I propose to take Questions Nos. 107 and 108 together.

The Programme for Government contains a commitment to establish a Constitutional Convention and indicates areas for it to examine, including the area of same sex marriage.

Work is proceeding on proposals to set up the Convention and these proposals will address, inter alia, the structure, membership and operation of the Convention. It is intended that they will be the subject of consultation with Opposition Parties before being finalised. It is my intention that the Convention will be set up in the Spring.

Constitutional Amendments

109. **Deputy Stephen S. Donnelly** asked the Tánaiste and Minister for Foreign Affairs and Trade if officials or representatives involved in discussions leading to the new euro area treaty were given any instruction to seek that the treaty would not include a requirement for it to be given constitutional enactment in participating countries; if officials or representatives proposed any wording relating to the way in which the treaty would take effect in participating countries, and the text of same; if officials or representatives made any proposal for the wording of Article

3.2 of the treaty, and the text of same; and his input into this clause referred to by the Taoiseach in the Dáil. [6873/12]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): In the negotiations on the ‘Treaty on Stability, Coordination and Governance in the Economic and Monetary Union’ the Government’s main objective was to secure a good deal for Ireland and for Europe. The Irish negotiating team — political and official — pursued a number of priorities, each of which was fully secured. These included ensuring that the position of countries in an EU/IMF Programme is fully reflected in the text — nothing in the new Treaty alters in any way the terms of the Programme; ensuring that the Treaty remains as close as possible to existing EU Treaties and to existing and proposed EU secondary legislation; ensuring that different legal traditions and practices are accommodated in the Treaty text; and ensuring that the new deficit brake can be applied in a way that makes sense in all Member States.

These objectives were advanced through active participation in negotiating sessions, including in offering suggestions on text, and through a number of written submissions on drafts as they evolved.

In offering views on the ‘deficit brake’ set out in Article 3.2, the Irish team, while fully subscribing to the view that commitments in this area should be binding, successfully argued for the inclusion of a degree of flexibility to give appropriate recognition to the different legal and constitutional traditions and requirements that apply in different countries. We made it clear that, unlike many other participating countries, we do not have a tier of law between statute law and the Constitution, that the Houses of the Oireachtas take decisions by means of a simple majority (subject to specific exceptions set out in the Constitution) and we do not generally include detailed provisions in the Constitution.

A number of other countries joined with us in seeking this degree of flexibility, given their respective domestic legal circumstances. To meet those concerns, it was agreed to include the word ‘preferably’ ahead of ‘Constitutional’ in Article 3.2.

Accommodating such differences has always been a feature in the conduct of European business, and the final text is a balanced one that Ireland can accept.

As the Deputy will be aware, following last week’s meeting of the Government, I have written to the Attorney General formally seeking her advice on whether a referendum will be required to allow Ireland ratify the new Treaty. The Attorney General is now studying the legal implications carefully, and will deliver her advice in due course. Once her advice is received, the Government will consider it carefully and will take whatever decisions are necessary. As it has made clear, if a referendum is required, one will be held.

Court Proceedings

110. **Deputy Finian McGrath** asked the Tánaiste and Minister for Foreign Affairs and Trade his views on a matter (details supplied). [6368/12]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): I understand that the matter in question relates to legal proceedings currently before the courts. It would not be appropriate for me to comment any further at this stage other than to confirm that officials from my Department continue to monitor developments very closely.

Departmental Funding

111. **Deputy Niall Collins** asked the Tánaiste and Minister for Foreign Affairs and Trade if funding is available from him for a specific purpose (details supplied). [6399/12]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): The Emigrant Support Programme, administered by my Department, provides funding to non-profit organisations and projects to support Irish communities overseas and to facilitate the development of more strategic links between Ireland and the global Irish. The strong emphasis of the Programme is on supporting culturally sensitive, frontline welfare services, which are targeted at the most vulnerable members of our overseas communities, including the elderly and homeless. These services have made a substantive difference to the lives of Irish people living abroad, particularly in Britain and the United States, through reducing homelessness, tackling social isolation, and enabling Irish emigrants to access their local, statutory entitlements.

Thanks to Irish Government support, all the major urban areas in Britain with substantial Irish populations have dedicated, professional, Irish welfare organisations that provide support and assistance for elderly Irish people, including with end of life issues.

Where an Irish citizen who is resident abroad dies my Department through our Embassies or Consulates will offer consular assistance with regard to the repatriation of the remains if it is requested. The assistance can involve contacts with local authorities/ undertakers etc and liaison with family members here in Ireland. My Department does not have funds available to assist with the financial cost involved in the repatriation of remains.

Overseas Development Aid

112. **Deputy Seán Ó Feargháil** asked the Tánaiste and Minister for Foreign Affairs and Trade if he is in a position to outline the impact of budgetary reductions on the aid programme in Lesotho; and if he will make a statement on the matter. [6601/12]

Minister of State at the Department of Foreign Affairs and Trade (Deputy Joe Costello): For 2012, the Government will provide a total of €639 million for ODA, which, on current projections, will represent over 0.5% of GNP. Given our current economic circumstances this allocation represents a real commitment by the Government and people of Ireland to the world's poorest people.

Through the overseas aid programme the Government provides assistance to over ninety countries worldwide. Nine have been designated as Programme Countries for Irish Aid, where we have a commitment to long term strategic assistance. These are Ethiopia, Lesotho, Malawi, Mozambique, Tanzania, Timor Leste, Uganda, Vietnam and Zambia.

We are now in the process of allocating the overall budget for 2012, and therefore no individual country budgets have yet been identified. As has been the case in recent years however, the allocations to Irish Aid's Programme Countries will be prioritised to the extent possible.

Ireland has a long-standing commitment to Lesotho, which dates from 1975. Since 2003, we have provided almost €90m in bilateral aid to the country. In 2011, the annual budget for Lesotho stood at approximately €10.7 million. I expect the allocation to fall slightly in 2012 although on a per capita basis Lesotho will remain one of our largest programmes.

This year we will continue to target priority areas such as the provision of health services for those infected with HIV and AIDS, measures to improve access to education, along with quality, and a programme that is helping to strengthen Government accountability to the citizens of Lesotho. Support will also be provided for disaster management as well as a programme to improve food production at the household and community level. An evaluation of the Country Programme will be conducted later this year which will help to inform our future strategy in Lesotho.

Question No. 113 withdrawn.

International Agreements

114. **Deputy Michael McGrath** asked the Minister for Finance the manner in which he believes the fiscal compact agreed at inter-governmental level improves economic governance and budgetary discipline within the EU over and above the updated Stability and Growth Pact measures which came in to effect on 13 December 2011; and if he will make a statement on the matter. [6338/12]

Minister for Finance (Deputy Michael Noonan): The Fiscal Compact is a key part of the Treaty on Stability, Coordination and Governance in the Economic and Monetary Union agreed at the end of January. The Compact requires that fiscal rules — covering targets for the structural balance, automatic correction mechanisms, etc — take effect in national law. This is an important provision as it encompasses greater ownership in ensuring the appropriate conduct of fiscal policies at national level.

The Fiscal Compact compliments the already agreed measures taken at EU level, which seek to ensure the pursuit of sustainable fiscal policies in participating Member States. This, in turn, will help ensure a greater level of stability in the euro area and wider EU, which is in all of our interests.

The other parts of the Treaty cover economic policy coordination and convergence as well as improved governance of the euro area.

Tax Code

115. **Deputy Billy Timmins** asked the Minister for Finance the position regarding tax in respect of a person (details supplied) in County Wicklow; and if he will make a statement on the matter. [6223/12]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that a revised Tax Credit and Universal Social Charge Certificate issued to the person concerned in December 2011 arising from a small difference between the details of her pension on Revenue's record and the pension particulars supplied by the Department of Social Protection. Based on the information available to the Revenue Commissioners the person concerned has been allowed the appropriate tax credits and reliefs on her income. Her 2012 Tax Credit and Universal Social Charge Certificate also reflects the correct rate band to take account of the treatment of the Universal Social Charge on a cumulative basis from 1 January 2012.

If the Deputy would like to ask the person concerned to contact the Wicklow District Manager, Vivienne Dempsey, telephone number 01 6316605, she will assist her with her enquiry.

Bank Interest Rates

116. **Deputy Finian McGrath** asked the Minister for Finance if he will respond to correspondence regarding the European Central Bank rates (details supplied). [6227/12]

Minister for Finance (Deputy Michael Noonan): The details provided by the Deputy refer to the failure of a particular lending institution to pass on ECB rate reductions. The Deputy will be aware that the lending institutions in Ireland, including those in which the State has a substantial shareholding are independent commercial entities. The lending institution mentioned by name, in the details supplied by the Deputy, is not one in which the State has a direct shareholding. Neither the Central Bank nor I have the power to compel financial institutions to reduce their mortgage interest rates.

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Ultimately the pricing of financial products, including standard variable mortgage interest rates, is a commercial decision for the management team and board of each lending institution, having due regard to their customers and the impact on profitability, particularly where the cost of funding to each lending institution, including deposit pricing, is under pressure.

Banking Sector Regulation

117. **Deputy Michael Healy-Rae** asked the Minister for Finance the proposals he has to ensure that mortgage lenders are going to develop products to help mortgage holders in distress as part of the new strategy to help troubled borrowers; and if he will make a statement on the matter. [6263/12]

Minister for Finance (Deputy Michael Noonan): The Central Bank revised Code of Conduct on Mortgage Arrears (CCMA) the key framework that governs the relationship between lenders and borrowers who are in arrears, or facing arrears, on their mortgage and provides a number of protections to borrowers. These include the establishment of a formal Mortgage Arrears Resolution Process (MARP) as the framework for handling such cases, the establishment of dedicated Arrears Support Units and a separate internal appeals process by lenders to deal with individuals on a case by case basis. The Code also provides that a lender must not apply to the Courts to commence legal action for the repossession of a borrower's private residence until every reasonable effort has been made to agree an alternative arrangement with the borrower and that, where a borrower co-operates with the lender, the lender must wait at least twelve months from the date the borrower is classified as a MARP case before applying to the Court to commence legal action for repossession of a borrower's primary residence.

This twelve month period does not include any time where the borrower is complying with the terms of any alternative arrangement agreed with the lender, or being processed by the internal Appeals Board, or any time during which a complaint against the lender against any aspect of the Mortgage Arrears Code is being processed by the Financial Services Ombudsman's Office. In addition, lenders are restricted from imposing charges and/or surcharge interest on arrears arising on a mortgage account in arrears to which the Code applies and in respect of which the borrower is co-operating reasonable and honestly with the lender in the MARP process. The Central Bank has published a guide for consumers on mortgage arrears 'Mortgage Arrears — A Consumer Guide to Dealing with your Lender' and this is available on the Central Bank website.

More recently, the Central Bank has also required licensed mortgage lenders to develop comprehensive strategies and implementation plans to deal with their individual mortgage arrears situations. The Central Bank is currently reviewing these strategies and plans to ensure that they are addressing the problem and that mortgage lenders are looking at appropriate longer term solutions, such as those recommended in the Inter-Departmental Mortgage Arrears Working Group report and other options that banks may develop themselves, for their customers who may have unsustainable mortgages. The Central Bank will continue to engage with lenders on the further development and implementation of these strategies and plans.

Tax Code

118. **Deputy Terence Flanagan** asked the Minister for Finance the position regarding the universal social charge (details supplied); and if he will make a statement on the matter. [6271/12]

Minister for Finance (Deputy Michael Noonan): The Universal Social Charge (USC) was introduced in Budget 2011 and replaced the Health Levy and the Income Levy. It is a more equitable charge and has a wider base and a lower rate when compared to the combined impact of the Income and the Health Levies. As with all taxes, receipts from the USC form part of the collective contribution to the funding of public services.

119. **Deputy Brendan Smith** asked the Minister for Finance if he will clarify the situation in regard to the right of a parent to gift a second home to a son or daughter without it affecting capital acquisition tax or inheritance taxes; if the matter will be confirmed and conditions outlined; and if he will make a statement on the matter. [6304/12]

Minister for Finance (Deputy Michael Noonan): For the purposes of Capital Acquisitions Tax (gift and inheritance tax), the relationship between the person who provides the gift or inheritance (known as the “disponer”) and the person who receives the gift or inheritance (i.e., the beneficiary), determines the maximum tax-free threshold (known as the “group threshold”) below which gift or inheritance tax does not arise. There are, in all, three separate group tax-free thresholds based on the relationship of the beneficiary to the disponer.

Group A: €250,000 — applies where the beneficiary is a child (including adopted child, step-child and certain foster children) or minor child of a deceased child of the disponer. Parents also fall within this threshold where they take an inheritance of an absolute interest from a child. **Group B: €33,208** — applies where the beneficiary is a brother, sister, a nephew, a niece or lineal ancestor or lineal descendant of the disponer. **Group C: €16,604** — applies in all other cases.

When calculating whether a beneficiary has received benefits in excess of her/his group tax-free threshold, any other gifts or inheritances received by that beneficiary since 5 December 1991 from within the same group are also taken into account.

A son or daughter who takes a gift or an inheritance from their parents falls into the Group A threshold above.

Apart from the tax-free group thresholds available to a beneficiary, the Capital Acquisitions Tax code also exempts a gift or an inheritance of a dwelling house completely from gift or inheritance tax in certain circumstances.

Where a parent transfers by way of gift a dwelling house, which is not the only or main residence of the parent, to a son or daughter, that gift will be exempt from gift tax if the son or daughter has resided in that dwelling house for a minimum of three years prior to the gift and if the son or daughter does not have an interest in any other dwelling house. In addition, the son or daughter must continue to occupy that dwelling house as his or her only or main residence for a period of six years from the date of the gift.

If, therefore, the conditions for the dwelling house exemption are met by the son or daughter, the gift of the second home will be completely exempt from gift tax and the gift will not reduce the Group A tax-free threshold available to the son or daughter of €250,000, which will still be in place in respect of any other gifts or inheritances that the son or daughter may receive from their parents in the future.

National Asset Management Agency

120. **Deputy Eoghan Murphy** asked the Minister for Finance if he is satisfied with the National Asset Management Agency’s strategy in regard to residential homes, some of which are protected structures or in areas of architectural conservation, that are unoccupied and in

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need of repair, or have been vacated while renovation works remain to be completed, and are now falling into disrepair. [6307/12]

Minister for Finance (Deputy Michael Noonan): NAMA informs me that property assets securing NAMA loans are under the control of debtors or of receivers appointed by the Agency. As such, it is debtors and receivers who are responsible for the preservation and maintenance of such property, including protected structures and residences which are of architectural significance. In cases where NAMA becomes aware that debtors are neglecting their duties in this regard, the Agency advises me that it demands of them that they take appropriate remedial action. Should the debtor fail to take the appropriate action, NAMA can appoint a receiver to take control of the property concerned or under the provisions of section 141 of the NAMA Act, it can apply to the District Court for an entry and maintenance order, for which the overall costs can be charged back to the debtor. NAMA informs me that it has not been necessary to move beyond the first option in the very few cases relating to period buildings and protected structures that have arisen to date. Should the Deputy have any concerns about such buildings or structures, however, he should inform the Agency through the dedicated e-mail address, *oir@nama.ie*, to which members of the Oireachtas may direct questions on matters of public interest provided the terms of Section 221 of the National Asset Management Act 2009 are respected.

Pension Provisions

121. **Deputy Eoghan Murphy** asked the Minister for Finance if his attention has been drawn to the fact that when Fingal County Council transferred responsibility for pension payment to retired vocational education committee employees to the Paymaster General, that the Paymaster General changed the renewal period for those with VHI healthcare plans, meaning that there was a period when those in receipt of pension payments were not covered under their VHI plans. [6310/12]

Minister for Finance (Deputy Michael Noonan): There is a long standing agreement with all of the health insurance companies, including the VHI, where an individual's health cover remains in place even in circumstances where, through no fault of his/her own, a premium is not paid. As part of the move to the greater use of shared services in the public sector in order to drive efficiencies, the Paymaster General's Office, which is part of my Department, took over the payment, on an agency basis, of pensions of the retired staff of the Vocational Education Committees. Payment of these pensions was previously made through the local authorities. When those in receipt of pension paid via Fingal County Council moved to the payroll of the Paymaster General's Office in November 2011, there was no period during the transfer when they were not covered under their VHI plans.

Tax Code

122. **Deputy Brendan Griffin** asked the Minister for Finance further to Parliamentary Question No. 80 of 14 December 2011, his views on a matter (details supplied) regarding the universal social charge; and if he will make a statement on the matter. [6331/12]

Minister for Finance (Deputy Michael Noonan): The position is as I stated on 14 December 2011 in reply to Parliamentary Question Number 80, that the Universal Social Charge (USC) does not apply to social welfare payments or payments of a similar nature made by any other state or territory.

However, occupational pensions are liable to the USC, if the payment is greater than the exemption limit, which from 1 January 2012 is €10,036 per annum.

Therefore, in this particular case the retired couple in question receives a higher proportion of their total income from occupational pension than the retired couple in the newspaper article and therefore pays more USC. In both cases the State Pensions are exempt from the USC.

As the Deputy is aware, the USC was reviewed by my Department in the lead up to Budget 2012 and the report can be obtain at www.finance.gov.ie.

Tax and Expenditure Profiles

123. **Deputy Michael McGrath** asked the Minister for Finance when he will publish the monthly tax and expenditure profiles for 2012; and if he will make a statement on the matter. [6339/12]

Minister for Finance (Deputy Michael Noonan): The profile for monthly Exchequer tax revenues and debt servicing expenditure will be published this week. It is the intention of my colleague the Minister for Public Expenditure and Reform to publish expenditure profiles later this month.

Tax Code

124. **Deputy Niall Collins** asked the Minister for Finance the reason the Revenue Commissioners are refusing to allow the Non-Principal Private Residence charge as a business expense for owners of rental properties despite the statement of the then Minister for the Environment during the Committee Stage of the Local Government (Charges) Bill in Dail Eireann on 9 July, 2009 that as I understand it, they can set it against their expenses for business purposes; and if he will make a statement on the matter. [6389/12]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that a person in receipt of rental income is assessed to income tax on the net amount of the rents received, i.e. the gross rents less allowable expenses incurred in earning those rents. In computing the net amount of the rents received, only those deductions that are specified in the Taxes Consolidation Act 1997 are allowable. The legislation is quite clear in this matter. Section 97 of that Act 1997 sets out what are the allowable deductions in computing rental income. The main deductible expenses are:

- Any rent payable by the landlord in the case of a sub-lease.
- The cost to the landlord of any goods provided or services rendered to a tenant.
- The cost of maintenance, repairs, insurance and management of the property.
- Interest on borrowed money used to purchase, improve or repair the property.
- Payment of local authority rates in the case of rateable properties used for commercial purposes.

Payment of the Non-Principal Private Residence charge is not an allowable expense in computing taxable rental income as it is not included on the list of allowable items.

125. **Deputy Niall Collins** asked the Minister for Finance if he will examine a case in respect of a person (details supplied) in County Cork in view of the fact that this person has been

[Deputy Niall Collins.]

advised that are not liable for this charge; and if he will arrange to have this payment cancelled and refund all payments made. [6400/12]

Minister for Finance (Deputy Michael Noonan): I am informed by the Revenue Commissioners that a Tax Credit Certificate that granted exemption from both PAYE and Universal Social Charge (USC) for the current tax year, 2012 was issued to person in question and their pension provider.

The person's pension provider should refund any deductions of USC that may already have been made, from his private pension, in the current year, 2012, through their payroll system.

The person's income in 2011 was in excess of the USC exemption limit for 2011, based on the most recent figures available to Revenue.

Tax Reliefs

126. **Deputy Tom Hayes** asked the Minister for Finance the reason a particular not for profit organisation might have its application for relief of taxes under the Disabled Drivers/Passengers Regulations 1994 refused by Revenue; his views on a particular case (details supplied) in County Tipperary; and if he will make a statement on the matter. [6441/12]

Minister for Finance (Deputy Michael Noonan): I am informed by the Revenue Commissioners that Section 134(3) of the Finance Act 1992 (as amended) and Statutory Instrument No: 353 of 1994 Disabled Drivers and Disabled Passengers (Tax Concessions) Regulations, 1994 (as amended) provide for permanent relief from the payment of specified maximum amounts of VAT and VRT for persons registered under the scheme.

An application for exemption under the Scheme was received in the Central Repayments Office on 16 August 2011 from the organisation (details supplied). Qualifying Organisations are entitled to relief under this scheme. A "Qualifying Organisation" means a philanthropic organisation which is not funded primarily by (a) the State, (b) any board established by statute, or (c) any public or local authority. As confirmed on the application submitted by the organisation, this organisation is primarily funded by the State and therefore does not qualify for relief under this scheme.

Tax Yield

127. **Deputy Pearse Doherty** asked the Minister for Finance the total revenue raised on an annual basis from 1975 to 1985 under the terms of the Wealth Tax Act 1075 represented in monetary terms, as a percentage of the total tax take as a percentage of GDP. [6481/12]

Minister for Finance (Deputy Michael Noonan): Wealth tax was introduced in tax year 1975/76 and was abolished at the end of tax year 1977/78. The rate of the tax was 1% and it applied to the "net market value", as defined, of the "taxable wealth" of an individual, a discretionary trust, or a private trading company. There were a number of allowable deductions and exemptions from the tax. I am informed by the Revenue Commissioners that the yield from the wealth tax, and the wealth tax as a percentage of the total tax take, are as shown below. The figures for the wealth tax as a percentage of GDP are based on figures from the Central Bank of Ireland's *Statistical Yearbook of Ireland*.

Year	Exchequer yield from Wealth Tax	Exchequer yield from Wealth Tax	Wealth Tax yield as % of total tax take	Wealth Tax yield as % of GDP
	£m	€m equivalent	%	%
1975	3.7	4.7	0.4	0.09

Year	Exchequer yield from Wealth Tax	Exchequer yield from Wealth Tax	Wealth Tax yield as % of total tax take	Wealth Tax yield as % of GDP
	£m	€m equivalent	%	%
1976	6.5	8.3	0.5	0.13
1977	5.8	7.4	0.4	0.09
1978	0.7	0.9	0.04	0.01
1979	0.8	1.0	0.04	0.01
1980	0.8	1.0	0.03	0.01
1981	0.7	0.9	0.02	0.01
1982	0.6	0.8	0.02	Negligible
1983	0.7	0.9	0.01	Negligible
1984	0.2	0.3	Negligible	Negligible
1985	0.2	0.3	Negligible	Negligible

National Asset Management Agency

128. **Deputy Thomas P. Broughan** asked the Minister for Finance if it is intended to re-price the houses in the portfolio of developers with NAMA loans to make them more affordable in 2012 for young and first-time buyers; and if he will make a statement on the matter. [6484/12]

Minister for Finance (Deputy Michael Noonan): I am informed that NAMA approves the sale of assets, including houses and apartments by debtors or receivers acting on its behalf, at the current market rate for such properties. Properties under the control of receivers or other insolvency professionals appointed by NAMA are listed on its website at <http://www.nama.ie/PropertiesEnforced.php>. Potential purchasers are encouraged to contact the receivers to obtain additional information on specific properties and to submit expressions of interest if they wish to make a purchase. I understand that in cases where NAMA receives inquiries from potential purchasers about specific properties under the control of debtors, it can facilitate contact with debtors or receivers with a view to enabling sales transactions to take place.

Under the National Asset Management Act, 2009, NAMA has a commercial mandate. Given this commercial mandate, the Agency would not be in a position to change the prices of domestic properties for specific categories of purchasers.

Tax Code

129. **Deputy Terence Flanagan** asked the Minister for Finance the position regarding a PAYE allowance in respect of a person (details supplied); and if he will make a statement on the matter. [6586/12]

Minister for Finance (Deputy Michael Noonan): I am informed by the Revenue Commissioners that, according to Revenue records the person in question was granted one PAYE Credit for the years 2006-2011.

On the 10 January 2012, the taxpayer advised Revenue that his spouse had a pension in her own right and he was granted an additional PAYE Credit for the year 2012. However, following further contact from the taxpayer when he was making a claim for the additional PAYE Credit for 2011, it transpired that his spouse did not have a pension in her own right but was in fact receiving the Adult Dependent portion of his pension. In such circumstances he was not entitled to the additional PAYE Credit and the credit was withdrawn for 2012.

EU-IMF Programme

130. **Deputy Pearse Doherty** asked the Minister for Finance the level of the general Government deficit if Ireland was to meet the 0.5% structural deficit in 2016 assuming that the general Government deficit level of 3% was met in 2015 as per the EU-IMF programme; and if he will make a statement on the matter. [6671/12]

Minister for Finance (Deputy Michael Noonan): As part of the December 2010 ECOFIN Council recommendations to Ireland under the Excessive Deficit Procedure, Ireland is required to reduce its actual General Government deficit to below 3 per cent of GDP by 2015. The focus of Government at present is on adhering to the 8.6 per cent of GDP deficit target set for 2012 as well as on reducing the deficit to below 3 per cent of GDP by 2015, as we are committed to. It is vitally important that we restore sustainability to the public finances as soon as we can, bearing in mind the need to foster economic growth. The Intergovernmental *Treaty on Stability, Coordination and Governance in the Economic and Monetary Union* agreed last week requires us to achieve a balanced budget in structural terms, in other words after adjustment for the impact of the economic cycle on the budgetary position. This requirement will be deemed as respected if a Member State's structural balance is at its so-called Medium Term Objective, with a lower limit for the structural balance of -0.5 per cent of GDP (except in exceptional cases for countries with *inter alia* very low debt). The timeframe for convergence towards the MTO will be proposed by the Commission for each Member State taking into account country-specific sustainability.

At this point in time, it would be speculative to put forward a possible timeline for reaching the structural deficit of 0.5 per cent of GDP and what the corresponding actual General Government deficit might be at that point.

Tax Code

131. **Deputy Sean Fleming** asked the Minister for Finance if a person paying mortgage interest falls into arrears, if mortgage interest tax relief at source is still available and the methods by which this may be reduced; when a person repays the arrears are there automatic provisions in place to reinstate the tax relief at source or is the person at the loss of this and have they to contact the Revenue Commissioners to have it reinstated; and if he will make a statement on the matter. [6674/12]

Minister for Finance (Deputy Michael Noonan): The position is that tax relief for mortgage interest paid on a qualifying loan, a loan used for the purchase, repair, development or improvement of a person's main residence, is paid through the tax relief at source (TRS) system.

Where interest relief has been ceased by Revenue, and the mortgage is subsequently the subject of repayment in accordance with an agreed schedule with the mortgage provider, then subject to an application to Revenue for relief by the person concerned, relief is restored by Revenue. The relevant interest relief ceiling will of course apply so that if the overall interest repaid by the person concerned exceeds the relevant ceiling, interest relief for interest payments beyond that ceiling will not be available.

132. **Deputy Sean Fleming** asked the Minister for Finance if tax relief at source in respect of mortgage interest is available to persons with mortgages who are in receipt of the mortgage interest supplement; and if he will make a statement on the matter. [6675/12]

Minister for Finance (Deputy Michael Noonan): Mortgage Interest Supplement is paid by the Department of Social Protection. It is a short term support to help pay mortgage interest

repayments and the payment is based on the interest portion of a mortgage after deductions have been made for mortgage interest relief and any mortgage allowance or mortgage subsidy payable towards the interest part of the mortgage by any local authority.

Persons who are in receipt of Mortgage Interest Supplement are not precluded from claiming Mortgage Interest Relief.

133. **Deputy Robert Dowds** asked the Minister for Finance further to Parliamentary Question No. 224 of 12 January 2011, if the Revenue Commissioners have updated the estimated information for 2010 that was given in that answer, and if it has been updated, if he will set out the updated figures. [6682/12]

134. **Deputy Robert Dowds** asked the Minister for Finance further to Parliamentary Question No. 224 of 12 January 2011, if he will set out the latest estimate available to the Revenue Commissioners for the tax year 2011 of the total number of taxpayers in each of the following bands, the latest estimate of the total income for each of these bands, and the latest estimate of the total tax paid for each of those income bands, that is, those earning less than €5,000, between €5,001 and €10,000, between €10,001 and €14,000, between €14,001 and €15,000, between €15,001 and €15,514, between €15,515 and €17,542, between €17,543 and €20,000, between €20,001 and €30,000, between €30,001 and €40,000, between €40,001 and €50,000, between €50,001 and €60,000, between €60,001 and €70,000, between €70,001 and €80,000, between €80,001 and €90,000, between €90,001 and €100,000, between €100,001 and €125,000, between €125,001 and €150,000, between €150,001 and €175,000, between €175,001 and €200,000, between €200,001 and €250,000, between €250,001 and €300,000, between €300,001 and €350,000, between €350,001 and €400,000, between €400,001 and €450,000, between €450,001 and €500,000, between €500,001 and €750,000, between €750,001 and €1,000,000, between €1,000,001 and €2,000,000, and €2,000,000 and over. [6683/12]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 133 and 134 together.

The information requested, estimated by reference to the income tax years 2010 and 2011, is set out in the following table:

Gross Income Range	2010 (provisional)			2011 (provisional)		
	Gross Income	Numbers	Tax Paid	Gross Income	Numbers	Tax Paid
€	€		€	€		€
0-5,000	495,623,776	230,685	0	487,986,108	227,095	0
5,001-10,000	1,275,216,986	170,462	68,959	1,255,663,199	167,836	446,003
10,001-14,000	1,808,764,491	150,339	2,654,925	1,779,984,419	147,969	4,022,590
14,001-15,000	543,973,402	37,517	1,313,885	539,083,092	37,184	1,688,461
15,001-15,514	296,094,907	19,417	780,619	291,944,937	19,146	958,432
15,515-17,542	1,296,090,208	78,386	3,331,862	1,276,179,382	77,181	6,147,635
17,543-20,000	1,959,064,431	104,401	9,983,624	1,931,125,757	102,910	30,974,477
20,001-30,000	9,716,508,118	391,532	283,492,711	9,573,599,824	385,744	381,082,644
30,001-33,343	3,449,159,733	109,107	174,667,568	3,400,149,735	107,551	207,574,683
33,344-40,000	6,901,581,906	188,645	442,375,330	6,800,653,487	185,876	564,306,322
40,001-50,000	9,279,663,224	207,924	866,609,478	9,142,633,523	204,850	1,058,021,456
50,001-60,000	7,615,165,884	139,299	956,814,148	7,506,470,503	137,311	1,086,273,677
60,001-70,000	6,200,789,092	95,815	900,606,275	6,113,230,290	94,466	992,452,875
70,001-80,000	5,180,141,228	69,339	829,587,971	5,106,969,027	68,362	913,147,308

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Gross Income Range	2010 (provisional)			2011 (provisional)		
	Gross Income	Numbers	Tax Paid	Gross Income	Numbers	Tax Paid
€	€		€	€		€
80,001-90,000	4,049,384,422	47,819	710,799,491	4,000,986,987	47,247	773,899,034
90,001-100,000	3,151,192,559	33,274	599,128,884	3,108,236,315	32,818	642,150,132
100,001-125,000	5,386,008,665	48,570	1,135,112,131	5,316,263,933	47,941	1,196,849,254
125,001-150,000	3,154,874,862	23,197	734,888,359	3,121,226,315	22,950	762,690,308
150,001-175,000	1,917,177,685	11,891	472,370,317	1,893,410,584	11,746	483,959,819
175,001-200,000	1,292,292,783	6,931	328,742,461	1,288,116,235	6,910	336,870,896
200,001-250,000	1,778,423,957	8,012	462,994,391	1,763,013,081	7,942	469,425,803
250,001-300,000	1,161,552,157	4,259	308,750,848	1,151,975,837	4,226	312,101,016
300,001-350,000	820,014,587	2,535	220,789,296	828,763,978	2,563	225,119,785
350,001-400,000	595,237,988	1,595	164,631,271	597,687,366	1,601	166,979,624
400,001-450,000	485,515,745	1,148	132,323,183	476,565,416	1,126	131,183,043
450,001-500,000	370,753,257	782	102,483,540	373,468,949	788	104,398,370
500,001-750,000	1,179,192,973	1,970	326,926,572	1,199,017,554	2,000	334,290,603
750,001-1,000,000	533,400,252	625	153,911,445	534,787,080	626	154,811,699
1,000,001-2,000,000	662,730,897	509	176,091,517	677,124,288	519	180,750,996
Over 2,000,000	1,025,497,998	118	349,540,335	1,016,296,602	117	345,279,341
Totals	83,581,088,169	2,186,100	10,851,771,390	82,552,613,799	2,154,599	11,867,856,287

The figures are estimates from the Revenue tax-forecasting model using actual data for the year 2009 adjusted as necessary for income and employment trends in the interim. These are, therefore, provisional and likely to be revised.

It should be noted that the income ranges shown in the above tables relate to Gross Income as defined in Revenue Statistical Report 2010.

It should also be noted that a married couple who has elected or has been deemed to have elected for joint assessment is counted as one tax unit.

Proposed Legislation

135. **Deputy Jack Wall** asked the Minister for Finance if he will consider a matter (details supplied) regarding insolvency legislation; and if he will make a statement on the matter. [6704/12]

Minister for Finance (Deputy Michael Noonan): My colleague, Mr. Alan Shatter TD, Minister for Justice, Equality and Defence, has now published the Heads of a Personal Insolvency Bill for Oireachtas and public consultation.

The Bill will provide for a new framework for the formal settlement of debt and for personal insolvency. The proposed reform will consist of following main elements:

- a revised judicial process (bankruptcy) to provide for a 3 year period for automatic discharge from bankruptcy, from the current 12 years.
- the introduction of a new debt write-off process (Debt Relief Certificates) for low level indebtedness where the debtor has effectively no income and no assets and has unsecured debts amounting up to €20,000.

- the introduction of a new non-judicial debt settlement process for unsecured debt only amounting to over €20,000 (Debt Settlement Arrangement).
- the introduction of a new non-judicial debt settlement process for secured (and if applicable also unsecured debt) for amounts of between €20,000 and €3 million (Personal Insolvency Arrangement).

The draft Bill as published for consultation does not exclude debt, either unsecured or secured (including mortgage related), owed to a local authority.

Part 5 of the draft Bill, which provides for a Personal Insolvency Arrangement (PIA) framework, proposes that, subject to certain eligibility criteria, an insolvent debtor may make a proposal to address unsustainable secured debt, including mortgage debt, in a non-judicial manner. The debtor can also propose to concurrently address unsecured debt, if any, in this framework. The PIA as set out allows for a high degree of flexibility as to the type of solution that could be agreed for mortgage and other secured debt and does not exclude the possibility of shared ownership scenarios.

Upon conclusion of the consultation process, the Bill will be considered further by Government in advance of the publication of a Bill before the end of April in line with the revised commitment in the EU/IMF Programme of Financial Support. The Bill will also fulfil the relevant commitment in the Programme for Government.

Tax Yield

136. **Deputy Michael McGrath** asked the Minister for Finance the revenue, actual and projected, to be raised from the pension fund levy for each of the years 2011 to 2014; the cost of each of the related measures undertaken under the jobs initiative; and if he will make a statement on the matter. [6761/12]

Minister for Finance (Deputy Michael Noonan): The Jobs Initiative publication from May of last year clearly outlined the expected revenue yields to be generated from the pension levy over the 2011-2014 period. In addition, the publication also included details of the proposed current and capital expenditure and other revenue measures. This information was most recently included in the response to PQ 4718/12 and PQ 4719/12 on January 26th also.

The outturn for the pension levy in 2011 was €463 million as opposed to the original forecast amount of €470 million.

The implementation of a jobs and growth strategy is a key priority of this Government. The Jobs Initiative contains a range of measures aimed at assisting in employment generation — providing opportunities for those who are out of work, to restore public morale and confidence in the economy and encourage spending by consumers. The Government is currently finalising a comprehensive Action Plan for Jobs which will set out further measures to be taken in 2012 to support job creation. This Action Plan, which complements last year's Jobs Initiative, will be published in the coming weeks.

A summary of the original measures and associated estimated yields and costs is set out in the table below:

Revenue	2011 (€m)	2012 (€m)	2013 (€m)	2014 (€m)	Total
*Air Travel Tax	-15	-90	-105	-105	-315
VAT	-120	-350	-350	-60	-880
PRSI	-95	-208	-201	-33	-536

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Revenue	2011 (€m)	2012 (€m)	2013 (€m)	2014 (€m)	Total
Pension Funds Levy	+470	+470	+470	+470	+1,880
Expenditure (Additional)	-40	-30	-30	-30	-130
Net Benefit (+) / Loss (-)	+201	-208	-216	+242	+19

rounding may affect totals

*It should be noted that the proposed suspension of the Air Travel Tax, at an estimated cost of €15 million in 2011, €90 million in 2012 and €105 million in a full year, was conditional on the airlines increasing passenger numbers in terms of restoring routes and capacity. Following discussions with the airlines in that regard, the Government decided to retain the Air Travel Tax in 2011, pending a further review in the spring.

Banks Recapitalisation

137. **Deputy Stephen S. Donnelly** asked the Minister for Finance if he will set out the precise relationship between the emergency liquidity assistance and the promissory notes as relevant to the IBRC. [6777/12]

Minister for Finance (Deputy Michael Noonan): The Promissory Note acts as collateral under emergency liquidity assistance (ELA) loan (repo) agreements with the Central bank of Ireland (CBI). This ELA is itself funded by the CBI through Intra-Eurosystem liabilities and any repayments of ELA are used to reduce this liability on the Central Bank's balance sheet. Other than that there is no link between the Promissory Note and ELA.

138. **Deputy Stephen S. Donnelly** asked the Minister for Finance if it is the case that the European Central Bank loaned money to the Central Bank of Ireland in the form of emergency liquidity assistance, which the Central Bank of Ireland then loaned on to the Irish banking system; and if so, at what interest rate and repayment terms was this loan by the ECB. [6778/12]

Minister for Finance (Deputy Michael Noonan): One of the functions of the Central Bank of Ireland, similar to other central banks, is to grant Exceptional Liquidity Assistance to a credit institution when this is deemed necessary for financial stability purposes. These amounts are published monthly. The Central Bank cannot disclose the financial institutions that avail of such support although it is open to all eligible counterparties to apply for such funding. ELA is one of the ways that the Central Bank has responded to the financial crisis. This is distinct and separate from regular funding operations carried out for monetary policy implementation purposes through the ECB. ELA is funded through Intra-Eurosystem liabilities but the Central Bank does not disclose the terms under which ELA is provided. A loan provided to a credit institution under Exceptional Liquidity Assistance is granted against suitable collateral, where suitability is in line with unpublished criteria defined by the Central Bank. As with procedures for ECB eligible collateral, appropriate haircuts/discounts are applied with a view to ensuring that the Central Bank would not suffer any loss in the event of default on the loan assistance. The Bank has received formal comfort from me such that any shortfall on the liquidation of the collateral is made good.

139. **Deputy Stephen S. Donnelly** asked the Minister for Finance the total amount of emergency liquidity assistance originating from each of the European Central Bank and Central Bank of Ireland currently in the Irish banking system; the projected repayment schedule per bank of ELA to the Central Bank of Ireland; and the projected repayment schedule per bank of ELA to the ECB. [6779/12]

Minister for Finance (Deputy Michael Noonan): The Central Bank has informed me that one of their functions, similar to other central banks, is to grant Exceptional Liquidity Assistance to a credit institution when this is deemed necessary for financial stability purposes. These amounts are published monthly. My Department, in addition, continues to monitor details of historical levels and trends in respect of the use of Central Bank funding across the system. The Central Bank cannot disclose the financial institutions that avail of such support although it is open to all eligible counterparties to apply for such funding. ELA is one of the ways that the Central Bank has responded to the financial crisis. This is distinct and separate from regular funding operations carried out for monetary policy implementation purposes through the ECB. A loan provided to a credit institution under Exceptional Liquidity Assistance is granted against suitable collateral, where suitability is in line with unpublished criteria defined by the Central Bank. As with procedures for ECB eligible collateral, appropriate haircuts/discounts are applied with a view to ensuring that the Central Bank would not suffer any loss in the event of default on the loan assistance. The Bank has received formal comfort from the Minister for Finance such that any shortfall on the liquidation of the collateral is made good.

140. **Deputy Stephen S. Donnelly** asked the Minister for Finance if he or any representative of the State has ever raised with the ECB the possibility of partial non-payment of ELA to the Central Bank of Ireland. [6780/12]

Minister for Finance (Deputy Michael Noonan): Emergency Liquidity Assistance, or ELA, is funded by the Central Bank of Ireland through the Eurosystem, and any repayments are used to reduce this liability on the Central Bank's balance sheet. The government is currently in technical discussions with European authorities in relation to the promissory notes held by the Irish Banking Resolution Corporation that are currently funded by ELA. I am actively pursuing these discussions, and hope to reach an agreement with the ECB and IMF to reduce to the overall cost to the State.

141. **Deputy Stephen S. Donnelly** asked the Minister for Finance the current resources of the IBRC; the projected cash flow requirements of the IBRC over the next ten years; the projected cash flow generated from the sale of IBRC's assets over the next ten years; and if he will make a statement on the matter. [6781/12]

Minister for Finance (Deputy Michael Noonan): The most recent published information detailing the resources of IBRC are contained in the interim accounts of the bank. The attached link is provided for the Deputy's convenience. The information requested in relation to projected cash flows are commercially sensitive and as such, the Deputy will appreciate, cannot be properly disclosed. <http://www.ibrc.ie/About-us/Financial-information/Latest-interim-report/Interim-Report-2011.pdf>

Tax Code

142. **Deputy Michael McGrath** asked the Minister for Finance the reason a person (details supplied) in County Cork, whose income is well below the relevant threshold, is paying the universal social charge. [6855/12]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that the person in question is exempt from the Universal Social Charge (USC), based on the most recent figures available to Revenue. A revised Tax Credit/USC Certificate has recently issued to this person and their pension provider. This person's pension provider will refund any USC deducted since January.

Official Engagements

143. **Deputy Billy Timmins** asked the Minister for Finance if a meeting (details supplied) took place and if so the details of same; if any other similar meetings took place in September 2008; and if he will make a statement on the matter. [6871/12]

Minister for Finance (Deputy Michael Noonan): I am informed that the meeting referred to by the Deputy did take place and that it was at the request of Mr. O'Mahony. I understand that it was a listening exercise from the Department's perspective and that Government policy deliberations were not discussed. It would not be unusual for the Department to agree to such requests for a meeting.

Disabled Drivers

144. **Deputy Simon Harris** asked the Minister for Finance the rationale behind the decision to enforce the restriction preventing owners of vehicles of more than 2000 cc from participating in the disabled driver and passenger tax relief scheme; and if he will make a statement on the matter. [6876/12]

145. **Deputy Simon Harris** asked the Minister for Finance the rationale behind the decision to enforce the restriction preventing owners of vehicles under the disabled driver and passenger tax relief scheme from carrying out adaptations to their vehicle to exceed that stated maximum VAT and VRT relief, regardless of the length of time they agree to keep the vehicle; and if he will make a statement on the matter. [6878/12]

146. **Deputy Simon Harris** asked the Minister for Finance the rationale behind the decision to restrict disabled drivers purchasing second-hand vehicles from participating in the disabled driver and passenger tax relief scheme if VRT on that vehicle had previously been claimed by a previous scheme participant; and if he will make a statement on the matter. [6880/12]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 144 to 146, inclusive, together.

I am informed by the Revenue Commissioners that Section 134(3) of the Finance Act 1992 (as amended) and Statutory Instrument No. 353 of 1994 (Disabled Drivers and Disabled Passengers (Tax Concessions) Regulations, 1994) (as amended) provide for permanent relief from the payment of specified maximum amounts of VAT and VRT for persons registered under the scheme.

The legislation specifies that, where a person satisfies the Revenue Commissioners that s/he is a Disabled Driver who complies with all the conditions of the Disabled Drivers Scheme, that person shall be entitled to relief in respect of a vehicle with an engine capacity of up to but not greater than 2,000 c.c.

The legislation also specifies that relief will be granted in respect of Value Added Tax (VAT), Vehicle Registration Tax (VRT) or residual VRT borne in respect of a vehicle, or in respect of the adaptation of a vehicle, subject to the limit specified in Regulation 9 (Driver) or Regulation 11 (Passenger). There is no restriction on the extent of the adaptations but relief is subject to the specified limits. The specified limit in respect of a disabled driver is € 9,525 and in respect of disabled passenger is €15,875.

Disabled drivers purchasing second-hand vehicles may participate in this scheme provided they comply with all the conditions of the Disabled Drivers Scheme as outlined. Regarding VRT, the legislation specifies that the claimant must have borne the residual vehicle registration tax. In the case of the purchase of a second-hand vehicle, if there is no vehicle regis-

tration tax on the second-hand vehicle because it was either remitted or repaid when purchased as new, then there is no residual vehicle registration tax to be borne by anyone on a subsequent purchase and hence there is no amount available for refund.

The legislation does not provide for any exceptions and the provisions of SI 353/1994 must be fully adhered to.

Departmental Agencies

147. **Deputy Terence Flanagan** asked the Minister for Education and Skills if he will respond to a query regarding FETAC (details supplied); and if he will make a statement on the matter. [6288/12]

Minister for Education and Skills (Deputy Ruairí Quinn): Legislation providing for the dissolution of the Further Education and Training Awards Council (FETAC) and its amalgamation with the National Qualifications Authority of Ireland (NQAI) and the Higher Education and Training Awards Council (HETAC) was published in July 2011 and is currently progressing through the Houses of the Oireachtas. In order to manage the transition of functions to the new amalgamated agency, FETAC has decided that no new applications for provider registration will be accepted. I hope to establish the new Authority in the first half of the year and it will begin processing new applications for provider registration shortly thereafter. However, it should be noted that the Accreditation and Co-ordination of English Language Services (ACELS) is a function of NQAI. ACELS provides quality assurance for English language services in Ireland through the management and operation of an Inspection/Recognition Scheme for English language schools and an Accreditation Scheme for English Language teacher training providers. ACELS is the longest standing and most widely recognised scheme of inspection and recognition in the English language sector. An application for recognition by ACELS may be submitted at any time and details are available on the NQAI's website at www.nqai.ie.

Special Educational Needs

148. **Deputy Terence Flanagan** asked the Minister for Education and Skills his views in relation to the written documented recommendations of a Health Service Executive psychologist in respect of a child (details supplied) with autism in view of the fact that the recommendation if implemented will save the taxpayer money; and if he will make a statement on the matter. [6290/12]

155. **Deputy Terence Flanagan** asked the Minister for Education and Skills if he will provide this Deputy with details received of research completed that shows that an ABA approach is more effective in educating some children with autism compared with an eclectic model; and if he will make a statement on the matter. [6291/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 148 and 155 together.

The Deputy will be aware of the Government's commitment to ensuring that all children with special educational needs, including those with autism, can have access to an education appropriate to their needs preferably in school settings through the primary and post primary school network and a school placement is available for the child referred to by the Deputy. Children with autism present with a wide range of needs. Some children are capable of being fully integrated into mainstream schools without additional teaching or care supports. Others are able to attend mainstream schools but need additional teaching and/or care assistance.

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Many are best enrolled in autism-specific classes where more intensive and supportive interventions are required. Some may move from one setting to another as they get older and differing needs/strengths/abilities emerge. Such placements facilitate access to individualised education programmes which may draw from a range of appropriate educational interventions, fully qualified professional teachers, special needs assistants and the appropriate school curriculum. My Department's policy on autism strives to ensure that a continuum of special education provision is available as required for children with special educational needs. In line with this approach the policy is to promote a child-centred approach to education of all children with special educational needs including those with autism. As each child with autism is unique they should have access to a range of different approaches to meet their individual needs. This facilitates access to individualised education programmes, fully qualified professional teachers who may draw from a range of autism-specific interventions, including ABA, special needs assistants, and the appropriate school curriculum with the option where possible of full/partial integration and interaction with other pupils. This policy is based on advice received from international experts on autism, NEPS, the Inspectorate and the report of the Irish Task Force on Autism. In arriving at the preferred policy which is currently in place, my Department has considered published research, including the Report of the Task Force on Autism (2001) and the Evaluation of Educational Provision for Children with Autistic Spectrum Disorders (2006), both of which are available on my Department's website. The report of the Taskforce includes a comprehensive list of contributions. My Department was also mindful of contributions of many others experts at international conferences/visits. The Deputy will appreciate that it is not appropriate to comment on professional reports relating to individual cases. The National Council Special Education (NCSE) has been fully engaged in securing a placement for the child in question. The NCSE continues to be available to the parents for assistance with regard to available placements and the National Educational Psychological Service (NEPS) have also offered their services to assist in this regard.

Youth Services

149. **Deputy Robert Dowds** asked the Minister for Education and Skills the average waiting time is nationally for placement on a Youthreach programme; the average waiting time in Dublin; and what each of these figures was in the years 2008, 2009, 2010 and 2011. [6365/12]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): There are almost 6,000 Youthreach places available nationwide under the Youthreach umbrella funded by my Department. Almost 3,700 of these places are provided by VECs in just over 100 Youthreach centres. The majority of the remainder of places are provided by FÁS in Community Training Centres. I am aware that there is significant demand for further education and training programmes in general but my Department does not collect data on waiting lists, including for the Youthreach programme. The overall number of approved Youthreach places is set at its current level because there is a continuing requirement to plan and control numbers and to manage expenditure within the context of overall educational policy and provision.

FÁS Training Programmes

150. **Deputy Aengus Ó Snodaigh** asked the Minister for Education and Skills the reason a person (details supplied) in County Dublin who was placed by FÁS in the Cherry Orchard Community Training Centre in October 2011 has not yet been paid by FÁS; if he will take steps to ensure that the payment is commenced without further delay; and if he will make a statement on the matter. [6454/12]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): FÁS commenced payment of the person's weekly training allowance from the week ending 27th January. He was informed that his back money will be paid in due course. The delay in making payment is due to the fact that when the person presented himself to register with FÁS, his Department of Social Protection (DSP) documentation indicated that he was not in receipt of a DSP payment prior to commencing his training with FÁS. Confirmation of entitlement to such a payment is a prerequisite for payment of a FÁS training allowance. On 25 January, 2012, FÁS received this confirmation from the local DSP Office. It was also confirmed that he should receive back money from the effective date of 21st October, 2011.

Departmental Agencies

151. **Deputy John McGuinness** asked the Minister for Education and Skills if the following reports relating to issues in FÁS north east have been published in full (details supplied); the cost of each report; the actions of each report; the actions taken arising from each report; if all matters being investigated have now been resolved; and if he will make a statement on the matter. [6695/12]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): FÁS staff members in the North East region identified issues in respect of the operation and administration of FÁS assessment procedures, the resultant certificates to be awarded and several of the underlying processes. While these issues were initially identified in the North East Region, it became apparent that there were systemic problems in this regard within the organisation.

FÁS undertook a wide ranging examination of the underlying issues and a series of reports were produced, either internally by FÁS or by or with the assistance of external consultants or bodies. Some relate solely to the North East region and others to FÁS as a whole. The details requested are set as follows:

WRC Report: This report details a review of all FÁS regional centres in respect of Contractor Training. The report was part of a three phase review. Phase 1 and 2 were carried out by FÁS and involved monitoring over 300 courses and reviewing over 32,700 individual assessments in respect of 4,825 learners. Phase 3 was carried out by WRC Economic and Social Consultants to independently ratify that Phase 1 and 2 were conducted consistently and to a high standard in accordance with the agreed processes. Arising from the outcome of this report, FÁS implemented a number of new systems and procedures, including:- The introduction and implementation of a new Training Standards System;- A new and automated Contractor Training System (CTTL) with new procedures and safeguards;- A dedicated unit for Curriculum and Assessments.

The report was published in October 2010 and is available on the FÁS website. The total cost of this report was €40,560, excluding VAT.

Boyle Report: In September 2010 an independent review was carried out at the request of the FÁS Assessment Standards Group, in relation to the process for handling thirteen non-conforming contracts in the North East Region. The review was undertaken by Dr Liam Boyle of the Limerick Institute of Technology. Arising from this review, the FÁS Assessment Standards Group approved certificate requests for eight courses, recommended that the marks for four courses be reviewed and that a re-sit was required for one course. In addition Dr Boyle made seven recommendations ranging from "Shared understanding of assessment requirements across Training Standard Officers in all regions" to "The need for a feedback mechanism to gather information from second providers on assessments and assessment issues". All recom-

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mendations have been addressed in full by FÁS. This is an internal report to FÁS and has not been published. The total cost of this report was €3,000, excluding VAT.

Investigations Report 2010: “An investigation surrounding the inputting of information in respect of applications for FETAC Certification in FÁS North East” was an independent report prepared by Michael Tyrell (former Managing Partner, Matheson Ormsby Prentice Solicitors). Its purpose was to establish the facts behind the inaccurate inputting of results which could have resulted in the issue of incorrect certificates to certain learners. In establishing these facts Mr Tyrell was asked to assess whether this occurred deliberately. The main finding of this report was “that there is no evidence of a deliberate intention on the part of any person to incorrectly seek certification for a person not so entitled”. It also reported on the sequence of events leading to this inaccurate inputting of certain results. This was an internal report for FÁS and has not been published. As it was an investigative report, there were no recommendations. The total cost of this report was €9,350, excluding VAT.

North East Review 2011: The North East Project Report (North East Review) was a follow on from an in-depth review of issues relating to assessment results which arose in FÁS North-East. This major review was carried out by FÁS, involving External Examiners to review and mark Summary Assessment Forms. An Independent Chair was appointed to oversee the Results Approval Group. Of the 103 courses reviewed by the External Examiners, a total of 92 courses involving 1,884 learners were recommended for certification. An extensive exercise was completed on the remaining 11 training programmes and issues were resolved. Arising from the feedback from the External Examiners, FÁS has addressed issues of concern by means of the Training Standards System, its new contracted training procedures and revised contracts. This process also involved the introduction of External Authentication prior to requesting certificates and the rollout of the RCCRS (Results Capture Certification Request System). This report was an internal report prepared by FÁS to summarise the outputs of the exercise and it has not been published. No additional costs arose. For the sake of completeness, the cost of the services of the External Examiners who undertook the primary exercise was €61,169. This includes costs in respect of the Independent Chair of the Results Approval Group.

FETAC Report 2010: An examination of FÁS procedures regarding requesting certificates was published in full by FETAC in February 2011. FETAC conducted the examination and produced the report from within their monitoring resources and no additional costs were incurred. There was no cost to FÁS in relation to this report. A follow-up report on implementation of the examination’s actions, which outlines the corrective actions taken by FÁS, was published by FETAC in November 2011. The follow-up report states that FETAC is satisfied that FÁS is implementing the corrective actions identified and enhancing their quality systems as outlined in the February report. Both reports are available on the FETAC website.

School Curriculum

152. **Deputy Tom Fleming** asked the Minister for Education and Skills as a result of successive bank bailouts, with the average amount of money now owed by every man, woman and child in this country exceeding €30,000, the reason our schools do not teach our youth about money management; his plans to introduce compulsory financial education, money management education and personal budgeting in our schools; his views on the development and introduction of mandatory financial education for our youth; the way he hopes to progress this; and if he will make a statement on the matter. [6802/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The Department of Education and Skills participated in the work of the National Steering Group on Financial Education established by the Financial Regulator. The Report of the Group, Improving Financial Capability — a Multi-stakeholder Approach, was published in July 2009. The Group also developed a Financial Competency Framework which sets out a comprehensive set of learning outcomes detailing the knowledge skills and competences a financially competent person should have at different stages of their lives. This can be used as an important resource for those developing educational materials for young people and adults in the field of financial literacy. The learning outcomes cover Levels 1 to 4 of the National Framework of Qualifications. Aspects of financial literacy are included in the curriculum at present in such areas as Mathematics, Home Economics, Economics, Business and Accounting, Enterprise Education and the Mathematical Applications within the Leaving Certificate Applied Programme. The programmes cover computational skills, using appropriate tools to estimate and measure, to compare value for money, to calculate prices, compound interest, profit and loss, discount, VAT, PRSI, income tax, domestic bills and charges, recording and interpreting financial data, converting into other currencies and solving problems. Consumer studies, money and banking, housing finance, credit and insurance are also covered. These areas will be further strengthened to the extent possible in line with ongoing curriculum reform. In addition, Ireland has participated in the EU Dolceta programme designed to provide on-line education resources for financial literacy and consumer education. Get Smart with Your Money has been developed by the Financial Regulator as a specific resource for use within Transition Year. In addition, the National Adult Literacy Agency working in collaboration with the Educational Building Society, has developed a website *www.makingcents.ie* to help adults learn more about money and financial matters.

School Transport

153. **Deputy Willie Penrose** asked the Minister for Education and Skills if he will investigate the possibility of facilitating, at no additional cost to the service, the transporting of children from a particular location rather than the location from which they are now picked up, in view of the fact that the bus driver passes through the preferred location to its first pick up, where the new location would be cost neutral but would be extremely beneficial in terms of improved safety for the children and the bus driver; and if he will make a statement on the matter. [6241/12]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): Bus Éireann, which operates the School Transport Schemes, on behalf of my Department, has advised that pupils are now provided with a service from the requested pick up and set down point.

Schools Buildings Projects

154. **Deputy Éamon Ó Cuív** asked the Minister for Education and Skills the progress made in relation to the provision of a replacement building for a school (details supplied) in County Galway; when it is likely that this project will go to tender; and if he will make a statement on the matter. [6266/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The major building project at the school referred to by the Deputy is at an advanced stage of architectural planning. The Design Team are currently working on finalising the Stage 2(b) Submission (Detailed Design and Tender Documents) which will then be forwarded to my Department for review. Thereafter, officials from my Department will be in contact with the Board of Management with regard to the further progression of the project. The Department will shortly publish an outline five year

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programme on the projects to be constructed in that time. The school building projects currently in architectural planning, including the project at Clifden Community School, will be considered in the context of that programme, taking into account the funding available, the building costs involved and the progression of other major projects required to meet demographic needs.

Question No. 155 answered with Question No. 148.

School Staffing

156. **Deputy Pádraig Mac Lochlainn** asked the Minister for Education and Skills if his attention has been drawn to the fact that a school (details supplied) in County Donegal will lose 50% of their teaching staff if proposed budget measures are implemented; and the immediate steps he will take to ensure that this school in an isolated and historically disadvantaged community can continue to reverse the legacy of disadvantage by alleviating this loss of key staff. [6298/12]

Minister for Education and Skills (Deputy Ruairí Quinn): Given the scale of our economic crisis, adjustments have had to be made across all areas of the public sector. Despite this challenge, the Government has sought to do this in as fair a way as possible. We have protected the pupil-teacher ratio at primary level, continue to prioritise targeted support for the most disadvantaged schools and maintain the overall number of resource teachers and SNAs to support children with special needs. My Department will be notifying schools in the coming weeks of the new staffing arrangements for the 2012/13 school year. At a time of great strain in our public finances, we have to ensure that the very valuable but limited resources available for the education system are used in the best way possible.

The staffing schedule at primary level disproportionately benefits small primary schools. It is worth noting that we have 3,200 primary schools across Ireland. Over two thirds of those schools have more than 86 pupils and, as a result, have far higher average class sizes than all of the schools affected by this measure. For example a two teacher school with 32 pupils has an average class size of 1 teacher for sixteen pupils. In contrast, a typical ten teacher school with 272 pupils has an average class size of 27.2 pupils. It is important to retain a sense of perspective and balance when discussing this matter and to realise the exceptionally favourable supports my Department will continue to provide for small schools.

For that reason, as part of the Budget 2012 decisions, the number of pupils required to gain and retain a classroom teaching post in small primary schools will be gradually increased between September 2012 and September 2014. Even when all of these phased increases are implemented, the threshold for small schools will still be significantly lower than the minimum of 28 pupils that was required for the appointment of a second teacher in schools prior to the mid-1990s. The phasing of these measures can provide the schools concerned with time to consider the potential for amalgamation with other schools where this is feasible. If amalgamations take place, they will be voluntary and follow decisions taken by local communities and not by my Department.

157. **Deputy Pádraig Mac Lochlainn** asked the Minister for Education and Skills if his attention has been drawn to the impending loss of a teacher at a school (details supplied) in County Donegal and the impact this will have on this small school under the patronage of the Presbyterian Church. [6299/12]

191. **Deputy Brendan Smith** asked the Minister for Education and Skills when details of the appeals process pertaining to the new staffing schedules for one, two, three and four teacher primary schools will issue; and if he will make a statement on the matter. [6900/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take questions 157 and 191 together.

My Department will be notifying schools in the coming weeks of the new staffing arrangements for the 2012/13 school year. It will include detail of the staffing appeals process and appeal criterion for those small schools that are projecting increased enrolments that would be sufficient to allow them to retain their existing classroom posts over the longer term. As part of the Budget 2012 decisions, the number of pupils required to gain and retain a classroom teaching post in small primary schools will be gradually increased between September 2012 and September 2014. Even when all of these phased increases are implemented, the threshold for small schools will still be significantly lower than the minimum of 28 pupils that was required for the appointment of a second teacher in schools prior to the mid-1990s. All schools are being treated equally irrespective of the type of patronage. The phasing of these measures can provide the schools concerned with time to consider the potential for amalgamation with other schools where this is feasible. If amalgamations take place, they will be voluntary and follow decisions taken by local communities and not by my Department.

Teachers' Remuneration

158. **Deputy Brendan Griffin** asked the Minister for Education and Skills his views on a matter (details supplied) regarding an allowance; and if he will make a statement on the matter. [6301/12]

Minister for Education and Skills (Deputy Ruairí Quinn): Circular 3/2012 issued on 31 January 2012 provides that, pending the outcome of a review by the Department of Public Expenditure and Reform, allowances are not payable to new beneficiaries; ie those who become eligible for receipt of the allowance in question on or after 1 February 2012. No additions to the common basic pay scale may be paid to new beneficiaries. Examples of such additions include any form of qualification allowance or the supervision and substitution payment paid to teachers, and the secretary to the Board of Management allowance paid to school principals. The position of teachers who, on 31 January 2012, were undertaking courses will be considered in the context of the public service-wide review of allowances announced in Budget 2012 which is being led by the Department of Public Expenditure and Reform. This decision was taken due to the upward pressure on the cost of teacher allowances. Without immediate action, this upward pressure would have cancelled out the savings made elsewhere in the education system and would bring about even harsher adjustments to schools and services.

Special Educational Needs

159. **Deputy Peter Mathews** asked the Minister for Education and Skills the reason a spelling waiver was refused in respect of a person (details supplied) in Dublin 6W; and if he will make a statement on the matter. [6328/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The State Examinations Commission has statutory responsibility for operational matters relating to the certificate examinations including organising the holding of examinations and determining procedures in places where examinations are conducted including the supervision of examinations. In view of the above I have forwarded your query to the State Examinations Commission for direct reply to you. I wish to inform the Deputy that in all cases where a school/parent or student is dissatisfied

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with any aspect of the SEC's decision in relation to an application for reasonable accommodations, they have access to an Independent Appeals Committee. All members of the Appeals Committee are drawn from outside the SEC. The remit of the Appeals Committee covers appeals against all elements of a decision taken by the SEC. All appeals are considered in light of the published principles.

Departmental Bodies

160. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills his views on a matter (details supplied) regarding SOLAS; and if he will make a statement on the matter. [6373/12]

161. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills his views on a matter (details supplied) regarding SOLAS; and if he will make a statement on the matter. [6374/12]

162. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills his views on a matter (details supplied) regarding SOLAS; and if he will make a statement on the matter. [6375/12]

163. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills his views on a matter (details supplied) regarding SOLAS; and if he will make a statement on the matter. [6376/12]

164. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills his views on a matter (details supplied) regarding SOLAS; and if he will make a statement on the matter. [6377/12]

165. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills his views on a matter (details supplied) regarding SOLAS; and if he will make a statement on the matter. [6378/12]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): I propose to take questions 160, 161, 162, 163, 164 and 165 together.

In July 2011, following a wide-ranging review of options regarding the provision of further education and training and the structures to support it, the Government announced the establishment of a new further education and training authority — SOLAS. I chair the Implementation Group established by the Government, which is charged with drawing up an Action Plan to set out the change process involved. The Group is comprised of representatives from the Department of Education and Skills, FÁS, the Irish Vocational Education Association (IVEA, representing Vocational Education Committees) and the Department of Social Protection. The Group decided to initiate a stakeholder consultation process and published a consultation paper to assist in that process. In response to a request from the IVEA, I gave additional time to VECs to make submissions, so that they would be able to consult with their committees and provide substantive input. I intend to hold an information seminar for stakeholders shortly and all stakeholders who made submissions, including VECs, will be invited to participate. As part of the change process, FÁS and the IVEA have established joint transformation teams which are analysing a range of issues as part of the process of establishing SOLAS and the structures to support it. This puts VECs at the heart of developing and implementing reforms in further education and training. Taken together with the framing of the consultation process and the

participation of the IVEA in the Implementation Group, I believe this enables the VECs to contribute positively to the ongoing process.

Schools Buildings Projects

166. **Deputy Robert Dowds** asked the Minister for Education and Skills the procedure to be followed to bring the new school premises for a school (details supplied) in County Dublin into being; and the timelines involved in this process, in view of the fact that approval has been granted. [6382/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to advise the Deputy that the Office of Public Works acting on behalf of my Department are engaged in the process of acquiring the site. An Outline Planning Permission has been obtained by the Office of Public Works and the Chief State Solicitor's Office are engaged in pre-contract enquiries with the Vendor's legal representatives with a view to finalising contracts for signing. Due to commercial sensitivities, I am not in a position to comment on the matter any further. Once the site acquisition process is concluded, the proposed school building project will be considered in the context of the capital budget available to my Department for school buildings generally. The current status of all projects on the school building programme, including the school in question, may be viewed on my Department's website at www.education.ie and this will be updated regularly throughout the year.

The Government's Medium Term Infrastructure and Capital Investment Framework, which was published on 10th November 2011, sets out the demographic challenge facing the education system in the coming years. In view of the need to ensure that every child has access to a school place, the delivery of major school projects and smaller projects devolved to schools to meet the demographic demands nationally as well as the demands in the area to which the Deputy refers, will be the main focus for capital investment in schools in the coming years. I have previously committed to publishing shortly a five year plan outlining the school building projects to be constructed in that time.

Third Level Education

167. **Deputy Brian Walsh** asked the Minister for Education and Skills his position on proposals concerning the idea of a technological university comprised of Athlone, Dundalk, Letterkenny, Sligo and Galway-Mayo Institutes of Technology; and if he will make a statement on the matter. [6396/12]

Minister for Education and Skills (Deputy Ruairí Quinn): In May of last year, I formally asked the Higher Education Authority to provide advice to me on draft performance criteria for a process for the designation of technological universities. Draft criteria had been developed by an international expert commissioned by my Department following the publication of the national strategy on higher education. In developing their advice, the Authority undertook a consultation process on the criteria which was completed last Autumn. The Authority has now submitted their advice, which I am now considering and intend to publish in the relatively near future. The criteria will set out a roadmap for the potential re-designation of any institutes of technology, who can meet the performance requirements set out, as technological universities.

School Staffing

168. **Deputy Brian Walsh** asked the Minister for Education and Skills if he will provide details of redundancy entitlements for teachers employed exclusively to deliver the modern

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languages in primary schools initiative following the discontinuation of the programme; and if he will make a statement on the matter. [6397/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The persons referred to by the Deputy are employed on a part-time basis by the Boards of Management of the schools under the Modern Languages in Primary Schools Initiative. I am unable at this time to provide the Deputy with details of redundancy entitlements for tutors engaged in the Initiative. My officials will be contacting the schools concerned in the coming weeks to ascertain details of those with an entitlement to redundancy.

School Enrolments

169. **Deputy Michael Creed** asked the Minister for Education and Skills the number of conventional primary schools with 13 pupils and fewer in 2011; and if he will make a statement on the matter. [6447/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The information requested is provided in the National School Annual Census. The census for the current school year (2011/2012) is being finalised at present and results will be published on my Department's website later in the year. A full list of primary schools with their enrolments for the 2010/11 school year can be found on my Department's website at the following link <http://www.education.ie/home/home.jsp?pcategory=10917&ecategory=12016&language=EN>.

School Patronage

170. **Deputy John O'Mahony** asked the Minister for Education and Skills when an announcement on the allocation of new primary schools for 2012 and 2013 will be made; and if he will make a statement on the matter. [6612/12]

Minister for Education and Skills (Deputy Ruairí Quinn): In June 2011, I announced that 20 new primary schools are to be established in the next six years across a number of locations. My Department invited patrons and prospective patron bodies to make applications for patronage of the new primary schools that are due to be established in 2012 and 2013. A report on these applications has been prepared by my Department for the consideration by the New Schools Establishment Group. I expect that the Group will submit a report to me shortly and I will then make decisions in the matter. Full details of the new arrangements for patronage of new schools and the criteria for deciding on patronage of these new schools are available on my Department's website.

School Transport

171. **Deputy Pat Deering** asked the Minister for Education and Skills if a person (details supplied) in County Laois will receive a travelling allowance. [6615/12]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): Under the terms of my Department's School Transport scheme, a pupil with special educational needs is eligible for school transport if s/he is attending the nearest recognised: mainstream school, special class/special school or a unit, that is or can be resourced, to meet the child's special educational needs under Department of Education and Skills criteria.

The pupil referred to is not attending the nearest recognised: mainstream school, special class/special school or a unit, that is or can be resourced, to meet the child's special educational

needs and is therefore not eligible for school transport or the payment of a grant towards the cost of private transport arrangements.

School Staffing

172. **Deputy Seán Crowe** asked the Minister for Education and Skills in view of the review currently being carried out into DEIS schools, if consideration has been given to teachers being placed on the redeployment panel list; and if the publication of the panel list will be deferred until the review has been completed. [6618/12]

Minister for Education and Skills (Deputy Ruairí Quinn): My Department is currently finalising the report, which I requested, on the impact of the withdrawal of posts under these older schemes on DEIS Band 1 and Band 2 primary schools only. I will then make a decision on the final outcome for the individual schools involved.

My Department will be publishing its Circular shortly which will set out the staffing arrangements at primary level for the 2012/13 school year. The circular will include details for the operation of the redeployment arrangements for surplus permanent teachers.

The Department will be using its website for communicating with schools in relation to the operation of the redeployment panels and on the progress on clearing them.

Teachers' Remuneration

173. **Deputy Mary Lou McDonald** asked the Minister for Education and Skills the entry grades and salary scales of new entrant teachers affected by the Department's Circular 0003/2012. [6648/12]

Minister for Education and Skills (Deputy Ruairí Quinn): In his address to Dáil Éireann on December 5th 2011 the Minister for Public Expenditure and Reform announced that Public Service bodies will have to achieve a reduction of 5% in the cost of allowances and premium payments in 2012. In order to achieve the necessary reduction, the Department of Public Expenditure and Reform is conducting a review of allowances and premium payments across the Public Service.

Pending the outcome of this review, the Department of Public Expenditure and Reform has advised my Department that delegated sanction for the payment of allowances to new beneficiaries is withdrawn with effect from 1st February 2012.

Circular letter 3/2012 applies to the awarding of allowances to all teachers, including new entrant teachers, who become eligible for receipt of the allowance in question on or after 1st February 2012. No additions to the common basic pay scale may be paid to new beneficiaries, pending the outcome of the review by the Department of Public Expenditure and Reform. The only exception to the prohibition on the awarding of new allowances is Principal and Deputy Principal allowances.

The common basic pay scale for new entrant teachers remains at the level announced by the Minister for Finance in his budget statement to Dáil Éireann on 7th December 2010. A copy of the scale is included below:

Teachers' Common Basic Scale

New Entrants post 1/1/11	
1	€27,814
2	€28,775

[Deputy Ruairí Quinn.]

New Entrants post 1/1/11

3	€29,737
4	€30,702
5	€32,198
6	€33,168
7	€34,136
8	€36,576
9	€37,795
10	€39,251
11	€40,700
12	€42,160
13	€43,380
14	€44,996
15	€44,996
16	€44,996
17	€47,225
18	€47,225
19	€47,225
20	€47,225
21	€50,170
22	€50,170
23	€50,170
24	€50,170
25	€53,423

School Transport

174. **Deputy Robert Troy** asked the Minister for Education and Skills the criteria that will be applied when evaluating the nearest school for members of minority faiths who apply for school transport from September 2012; if it will be the nearest school regardless of the patronage or the nearest school of the student's faith; and if he will make a statement on the matter. [6649/12]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): Children are eligible for transport where they reside not less than 3.2kms, in the case of primary, and 4.8 kms in the case of post primary, from and are attending their nearest national school or education centre as determined by the Department/Bus Éireann, having regard to ethos and language.

Ethos relates to religious ethos and is in the context of minority religions. Each application for transport will be assessed, taking into account the designation of individual school(s) in the area.

Early Retirement Scheme

175. **Deputy Mary Lou McDonald** asked the Minister for Education and Skills if he will provide a detailed breakdown of the number of public sector workers including teachers who have availed of the Croke Park early retirement scheme including their grade and place of employment, school name and so on in tabular form. [6655/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The information sought by the Deputy is not compiled in the format sought. Officials in the Pension Unit of my Department are currently fully occupied addressing the pension benefit entitlements for teachers who are retiring at this time. The number of teachers in Primary Secondary, Community and Comprehensive schools who have applied to retire in the period 1 January to 29 February 2012 is 1,166. Information received from the Vocational Education Sector indicate that 220 teachers have applied to retire in that sector during that period. A circular was issued by my Department, in July, 2011 requesting School Boards of Management to inform all staff in their schools (who are members of an occupation pension scheme) who intend to retire on or before 29 February 2012 that they are required to give 3 calendar months' notice of their date of retirement. The circular also stated that a notification may not be withdrawn on or after the date indicated as the last day of service. It was pointed out in that circular that failure to give the required notice could result in a delay in payment of pension benefits.

Accordingly, the actual number retiring will not be accurately known until after 29 February, 2012. When the work of processing pension benefits for those retiring has been addressed it is intended to commence work on compiling detailed statistical data on the number of teachers who retired and to publish this information on my Department's website.

176. **Deputy Peadar Tóibín** asked the Minister for Education and Skills if he will list the number of staff, their grade, and locations seeking to avail of the early retirement scheme. [6666/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The information sought by the Deputy is not compiled in the format sought. Officials in the Pension Unit of my Department are currently fully occupied addressing the pension benefit entitlements for teachers who are retiring at this time. The number of teachers in Primary Secondary, Community and Comprehensive schools who have applied to retire in the period 1 January to 29 February 2012 is 1,166. Information received from the Vocational Education Sector indicate that 220 teachers have applied to retire in that sector during that period. A circular was issued by my Department, in July, 2011 requesting School Boards of Management to inform all staff in their schools (who are members of an occupation pension scheme) who intend to retire on or before 29 February 2012 that they are required to give 3 calendar months' notice of their date of retirement. The circular also stated that a notification may not be withdrawn on or after the date indicated as the last day of service. It was pointed out in that circular that failure to give the required notice could result in a delay in payment of pension benefits.

Accordingly, the actual number retiring will not be accurately known until after 29 February, 2012. When the work of processing pension benefits for those retiring has been addressed it is intended to commence work on compiling detailed statistical data on the number of teachers who retired and to publish this information on my Department's website.

177. **Deputy Peadar Tóibín** asked the Minister for Education and Skills if he will list the number of staff within County Meath and their grade seeking to avail of the early retirement scheme. [6667/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The information sought by the Deputy is not compiled in the format sought. Officials in the Pension Unit of my Department are currently fully occupied addressing the pension benefit entitlements for those who are retiring at this time. The number of teachers in Primary Secondary, Community and Comprehensive schools who have applied to retire in the period 1 January to 29 February 2012 is 1,166. Information received from the Vocational Education Sector indicate that 220 teachers have

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applied to retire in that sector during that period. A circular was issued by my Department, in July, 2011 requesting School Boards of Management to inform all staff in their schools (who are members of an occupation pension scheme) who intend to retire on or before 29 February 2012 that they are required to give 3 calendar months' notice of their date of retirement. The circular also stated that a notification may not be withdrawn on or after the date indicated as the last day of service. It was pointed out in that circular that failure to give the required notice could result in a delay in payment of pension benefits.

Accordingly, the actual number retiring will not be accurately known until after 29 February, 2012. When the work of processing pension benefits for those retiring has been addressed it is intended to commence work on compiling detailed statistical data on the number of teachers who retired and to publish this information on my Department's website.

178. **Deputy Pádraig Mac Lochlainn** asked the Minister for Education and Skills the number of teachers that have availed of the early retirement scheme in County Donegal with details on the schools affected. [6686/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The information sought by the Deputy is not compiled in the format sought. Officials in the Pension Unit of my Department are currently fully occupied addressing the pension benefit entitlements for those who are retiring at this time. The number of teachers in Primary Secondary, Community and Comprehensive schools who have applied to retire in the period 1 January to 29 February 2012 is 1,166. Information received from the Vocational Education Sector indicate that 220 teachers have applied to retire in that sector during that period. A circular was issued by my Department, in July, 2011 requesting School Boards of Management to inform all staff in their schools (who are members of an occupation pension scheme) who intend to retire on or before 29 February 2012 that they are required to give 3 calendar months' notice of their date of retirement. The circular also stated that a notification may not be withdrawn on or after the date indicated as the last day of service. It was pointed out in that circular that failure to give the required notice could result in a delay in payment of pension benefits.

Accordingly, the actual number retiring will not be accurately known until after 29 February, 2012. When the work of processing pension benefits for those retiring has been addressed it is intended to commence work on compiling detailed statistical data on the number of teachers who retired and to publish this information on my Department's website.

Departmental Expenditure

179. **Deputy Seán Ó Fearghaíl** asked the Minister for Education and Skills the non-capital allocation to each vocational educational committee in 2011; and if he will make a statement on the matter. [6749/12]

Minister for Education and Skills (Deputy Ruairí Quinn): Details of the non-capital allocation to each Vocational Educational Committee in 2011 are included in the attached table.

These allocations enable the VECs to provide a broad range of educational services. In addition to providing post-primary education and further and adult education, VECs also have responsibilities in areas such as community education, training for early school leavers, basic literacy courses, traveller education and the provision of youth services. My Department provides the majority of the funding required by VECs for the delivery of these programmes. Accordingly, the figures in the table include funding for pay to VEC staff (including teachers), non pay for the day-to-day running of schools, specific grants (e.g. book grant, transition year

programme), targeted expenditure (e.g. DEIS funding), funding for further and adult education (e.g. Youthreach and VTOS) and funding for student grants.

VEC Non Capital Allocations 2011

VEC	Non Capital Allocation
City of Cork	€43,101,010
City of Dublin	€129,025,707
City of Limerick	€25,133,402
City of Waterford	€17,278,993
Dun Laoghaire	€17,540,609
City of Galway	€21,621,420
Co Carlow	€19,514,564
Co Cavan	€25,460,752
Co Clare	€29,204,914
Co Cork	€85,755,168
Co Donegal	€48,034,089
Co Dublin	€100,563,761
Co Galway	€33,079,414
Co Kerry	€34,833,609
Co Kildare	€37,908,683
Co Kilkenny	€24,239,828
Co Laois	€16,212,993
Co Leitrim	€10,282,698
Co Limerick	€37,223,064
Co Longford	€12,303,688
Co Louth	€29,918,365
Co Mayo	€27,970,846
Co Meath	€40,182,724
Co Monaghan	€21,511,270
Co Offaly	€19,146,418
Co Roscommon	€12,840,461
Co Sligo	€14,876,613
Co Tipperary (NR)	€21,921,531
Co Tipperary (SR)	€21,077,334
Co Waterford	€13,981,843
Co Westmeath	€19,156,091
Co Wexford	€33,171,424
Co Wicklow	€44,089,086
Total	€1,088,162,371

180. **Deputy Seán Ó Fearghaíl** asked the Minister for Education and Skills if he will provide figures detailing the capital allocation budget to each vocational educational committee in 2011; and if he will make a statement on the matter. [6750/12]

Minister for Education and Skills (Deputy Ruairí Quinn): As requested by the Deputy, the amount of capital funding provided to each of the 33 Vocational Education Committees in 2011 is set out in the attached table:

[Deputy Ruairí Quinn.]

VEC	Capital Funding 2011
City of Cork	€773,281
City of Dublin	€3,903,679
City of Limerick	€143,502
City of Waterford	€483,164
Dun Laoghaire	€1,228,021
City of Galway	€128,829
Co. Carlow	€267,757
Co. Cavan	€462,012
Co. Clare	€784,480
Co. Cork	€1,416,116
Co. Donegal	€4,124,333
Co. Dublin	€15,511,995
Co. Galway	€462,070
Co. Kerry	€376,467
Co. Kildare	€23,820,444
Co. Kilkenny	€292,274
Co. Laois	€1,440,167
Co. Leitrim	€659,296
Co. Limerick	€500,934
Co. Longford	€304,757
Co. Louth	€1,684,523
Co. Mayo	€595,819
Co. Meath	€4,848,817
Co. Monaghan	€2,531,252
Co. Offaly	€430,920
Co. Roscommon	€30,748
Co. Sligo	€586,494
Co. Tipperary NR	€2,847,803
Co. Tipperary SR	€644,926
Co. Waterford	€249,532
Co. Westmeath	€150,744
Co. Wexford	€6,994,427
Co. Wicklow	€910,761
Total	€79,590,344

School Staffing

181. **Deputy Seán Ó Fearghail** asked the Minister for Education and Skills the approved staffing level for each vocational educational committee in 2011 together with the grades of staff for whom approval was in place; and if he will make a statement on the matter. [6751/12]

Minister for Education and Skills (Deputy Ruairí Quinn): In regard to executive, administrative and maintenance posts funded from the VECs' pay allocation, each VEC is now set an annual target under the Employment Control Framework (ECF). These targets are not broken down by grade.

The attached table outlines the end of year ECF targets for each VEC for 2011 as well as the current SNA and post primary/PLC teaching post allocations for the 2011/12 school year. All figures are expressed as whole time equivalents (WTEs).

VEC WTE Staff Numbers (executive, administrative and maintenance staff, teachers and SNAs)

VEC	Executive, Administrative and Maintenance Staff (ECF target end 2011)	Teachers (2011/12 school year)	SNAs (2011/12 school year)
City of Cork	85	390	11
City of Dublin	357	962	48
City of Limerick	41	199	2
City of Waterford	27	101	12
Dun Laoghaire	46	160	0
City of Galway	41	157	7
Co. Carlow	35	165	7
Co. Cavan	29	224	6
Co. Clare	43	181	21
Co. Cork	129	887	97
Co. Donegal	80	394	63
Co. Dublin	166	977	90
Co. Galway	64	237	17
Co. Kerry	60	250	26
Co. Kildare	50	384	23
Co. Kilkenny	42	206	21
Co. Laois	27	139	8
Co. Leitrim	21	93	5
Co. Limerick	49	396	24
Co. Longford	23	88	5
Co. Louth	45	286	21
Co. Mayo	46	203	12
Co. Meath	58	402	36
Co. Monaghan	36	206	13
Co. Offaly	36	159	7
Co. Roscommon	21	82	8
Co. Sligo	30	126	11
Co. Tipperary NR	32	185	19
Co. Tipperary SR	36	187	18
Co. Waterford	21	97	11
Co. Westmeath	42	137	10
Co. Wexford	56	241	30
Co. Wicklow	67	428	29
Total	1,941	9,330	718

Teacher Recruitment

182. **Deputy Brendan Griffin** asked the Minister for Education and Skills the way the interview panel for replacing teaching positions in a national school in County Kerry is chosen; and if he will make a statement on the matter. [6807/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The Constitution of Boards and Rules of Procedure document 2011 sets out the procedures for appointment of teachers, including the composition of the selection board. These rules were agreed by the education partners and the revised document applies to new Boards of Management as of 1st December 2011. Under those rules, a selection board for teaching posts must comprise the chairperson of the board of management, the principal teacher and an assessor independent of the board of management, to be appointed by the patron after consultation with the chairperson of the board.

A copy of the rules is available on my Department's website — www.education.ie.

Departmental Staffing

183. **Deputy Seán Crowe** asked the Minister for Education and Skills if he will provide a list of the assistant secretaries on his Department's payroll; and details of their salaries, allowances and expenses. [6809/12]

Minister for Education and Skills (Deputy Ruairí Quinn): A list of assistant secretaries in my Department, along with details of their salaries, allowances and expenses is set out in the attached table:

List of Assistant Secretaries in the Department of Education and Skills

Name	Allowances per annum	Expenses to date in 2012
Mr Peter Baldwin	€115	*€159.02
Mr Pat Burke	€115	Nil
Ms Ruth Carmody	Nil	Nil
Mr Martin Hanevy	Nil	Nil
Mr Michael Keogh	€230	Nil
Mr Kevin McCarthy	Nil	Nil
Mr Dermot Mulligan	Nil	Nil
Mr Seán Ó Foghlú	Nil	Nil

*Travel and subsistence

The applicable four point salary scale (Pre-1995) for all of the above Assistant Secretaries is:

Four Point Salary Scale (Pre 1995)	
1st Point	€127,796
2nd Point	€133,605
3rd Point	€139,898
4th Point	€146,191

Schools Building Projects

184. **Deputy Brendan Smith** asked the Minister for Education and Skills the stage of a project (details supplied); if this project will proceed to the next stage during 2012; the likely timescale for the project to reach construction stage; and if he will make a statement on the matter. [6782/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The building project for the school referred to by the Deputy is currently at an early stage of architectural planning. The design team are currently working on Stage 2(a) which involves the detailed design of the proposed

building and when this is complete it will be submitted to my Department for review. The Department will shortly publish an outline five year programme on the projects to be constructed in that time. The school building projects currently in architectural planning, including the project for the school referred to by the Deputy, will be considered in the context of that programme, taking into account the funding available, the building costs involved and the progression of other major projects required to meet demographic needs.

185. **Deputy Charles Flanagan** asked the Minister for Education and Skills if his attention has been drawn to the continued disruption of school activities, having regard to the loss of the building structure (details supplied) damaged by fire 12 years ago; if the project of the new school will be advanced and progressed; and if he will make a statement on the matter. [6788/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The building project for the school referred to by the Deputy is currently at an early stage of architectural planning. Stage 1 was approved in November 2011 and the design team are currently working on Stage 2(a) which involves the detailed design of the proposed building; when this is complete it will be submitted to my Department for review.

The Department will shortly publish an outline five year programme on the projects to be constructed in that time. The school building projects currently in architectural planning, including the project for the school referred to by the Deputy, will be considered in the context of that programme, taking into account the funding available, the building costs involved and the progression of other major projects required to meet demographic needs.

School Curriculum

186. **Deputy Gerald Nash** asked the Minister for Education and Skills his plans to review the way in which mathematics is taught at second level; if he is satisfied that the qualifications of all maths teachers are sufficient to meet the county's needs as a centre for the knowledge economy; his plans to undertake any review of the project maths approach; and if he will make a statement on the matter. [6790/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The results of a survey of mathematics teaching undertaken by the Teaching Council shows that 66.4% of maths teachers are fully qualified to do so, 31.1% have undergone some studies in maths and only 2.5% of teachers teaching maths have no third level qualification/studies in maths. Tenders have been published for the development of a post graduate course to enable teachers of Mathematics who may not have a qualification in the subject to upskill to the recognised levels. The Teaching Council has also published a consultation document setting out proposed revised degree entry requirements for post-primary post graduate initial teacher education programmes relating to the teaching of 35 curricular subjects, including Mathematics.

Project Maths began in all second level schools in September 2010, building on the experiences of 24 Project Schools which started the programme in 2008. This is being supported by a national programme of professional development for teachers which began in 2009, and will continue to at least 2013. A Project Maths Implementation Support Group, as an industry/education partnership, reported in 2010 on how stakeholders from business, second level and higher education can work together to achieve the objectives of Project Maths. The recommendations of this report are being progressed.

Research has also been commissioned on the impact of Project Maths on student's attitudes and attainment. In the meantime, the results of the examinations in the 24 Project Maths

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schools have been published in the Leaving Certificate in 2010 and 2011, and the Junior Certificate in 2011. These show an improvement in the proportions scoring Grade ABC, and fewer students scoring at Grade EFNG.

My Department has produced The National Strategy to Improve Literacy and Numeracy among Children and Young People 2011 — 2020, “Literacy and Numeracy for Learning and Life” which is designed to promote a significant improvement in mathematical skills across primary and second level schools. The Strategy sets out a range of integrated actions in regard to helping parents to support their children’s learning, professional development of teachers, expansion of the duration of initial teacher education, and improving school leadership, assessment and school management and review.

Pupil-Teacher Ratio

187. **Deputy Eric Byrne** asked the Minister for Education and Skills if he will review a profile of a school (details supplied) in Dublin 10; the issues therein; and if he will make a statement on the matter. [6815/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I fully acknowledge that the reduction in resources to second level schools will be challenging for schools. However, the change must be seen in the context of the major challenges we have as a Government in trying to shelter public services to the greatest extent that we can in these exceptional times. The net impact on overall teacher numbers in our schools has been minimised to the greatest extent possible. In the budget announcement for education I made clear that the net impact of the measures relating to second level schools for the school year commencing next September would, after taking account of demographics amount to about 450 posts.

Schools will have autonomy on how best to prioritise its available resources to meet its requirements in relation to guidance and the provision of an appropriate range of subjects to its students. Decisions on how this is done will be taken at school level and I am confident that schools will act in the best interest of students when determining precisely how to use the teaching resources available to them.

I have also provided for the filling of 300 Assistant Principal posts in second-level schools over the level originally planned. This will ensure that schools have sufficient management positions to ensure appropriate supports are available for all students. A key priority for me is to continue to prioritise and target available funding at schools with the most concentrated levels of educational disadvantage. All 195 second-level school in DEIS, including the school referred to by the Deputy, will be given targeted support by a more favourable staffing schedule of 18.25:1. This is a 0.75 point reduction compared to the existing PTR of 19:1 that applies in non-fee-paying second-level schools. My Department is currently notifying schools of the new staffing arrangements for 2012/13 school year.

School Transport

188. **Deputy James Bannon** asked the Minister for Education and Skills the reason a person (details supplied) in County Longford who is a repeat leaving certificate student, is being compelled to sit their exams in the school in which they are studying for their repeats, despite the fact that school transport will have finished in June and they will have no means of getting to the school, which is a considerable distance from their home and that they have been told by the exam commissioner that they cannot sit their exams in their previous school, which is near their home and does not require transport, despite the fact that the principals of both

schools assured them that this would be in order, as it has been heretofore for other students; and if he will make a statement on the matter. [6821/12]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): Bus Éireann, which operates the School Transport Schemes, on behalf of my Department, has advised that the service referred to by the Deputy is not a school transport service; in general, school transport services operate for the duration of the state examinations.

As regards the issue of whether or not the person referred to can sit his/her state examinations in the school where he/she is studying or an alternative location, this is a matter for the State Examinations Commission. The State Examinations Commission has statutory responsibility for operational matters relating to the certificate examinations including organising the holding of examinations, supervising the examinations, making arrangements for the marking of work presented for examination and determining procedure to enable the review and appeal of results of examinations at the request of candidates. In view of this I have forwarded this part of your query to the State Examinations Commission for direct reply to you.

School Patronage

189. **Deputy Brendan Ryan** asked the Minister for Education and Skills on foot of speculation in the media, if there are any plans to divest a primary school in the Malahide, Portmarnock or Kinsealy area of north Dublin of its Catholic patronage; if this is the case, is there a consultancy process currently taking place with schools in the area; and if he will make a statement on the matter. [6854/12]

Minister for Education and Skills (Deputy Ruairí Quinn): As the Deputy will be aware the Forum on Patronage and Pluralism in the Primary Sector — a key objective of the Programme for a National Government 2011-2016, was officially launched by me in April last year. The terms of reference of the Forum are to advise me on:

- how it can best be ensured that the education system can provide a sufficiently diverse number and range of primary schools catering for all religions and none;
- the practicalities of how transfer/divesting of patronage should operate for individual primary schools in communities where it is appropriate and necessary; and
- how such transfer/divesting can be advanced to ensure that demands for diversity of patronage (including from an Irish language perspective) can be identified and met on a widespread basis nationally.

An Advisory Group appointed to convene the Forum has held a number of meetings in public, during June and November 2011. The Group sought and received submissions from the education stakeholder groups and from the public as part of its work. The Group is currently finalising its report and I expect to receive it shortly. Progress regarding divesting patronage of schools in any area, including the areas of North Dublin referred to by the Deputy, will be considered in the context of the recommendations of this report.

School Staffing

190. **Deputy Brendan Smith** asked the Minister for Education and Skills when his Department's circular will issue in respect of the provision for career guidance and counselling; and if he will make a statement on the matter. [6899/12]

Minister for Education and Skills (Deputy Ruairí Quinn): My Department will be issuing a circular to schools in the coming weeks for the 2012/13 school year. Schools will have autonomy on how best to prioritise its available resources to meet its requirements in relation to guidance and the provision of an appropriate range of subjects to its students. Decisions on how this is done will be taken at school level and I am confident that schools will act in the best interest of students when determining precisely how to use the teaching resources available to them.

Question No. 191 answered with Question No. 157.

Educational Disadvantage

192. **Deputy Brendan Smith** asked the Minister for Education and Skills when the review of teaching and teaching support services for DEIS schools will be finalised; when such schools will be notified of their allocations; and if he will make a statement on the matter. [6901/12]

Minister for Education and Skills (Deputy Ruairí Quinn): My Department is currently finalising the report which I requested, on the impact of the withdrawal of posts under these older schemes on DEIS Band 1 and Band 2 primary schools only. I will then make a decision on the final outcome for the individual schools involved and the staffing schedules for 2012/2013 will then be finalised and published in the coming weeks.

Teaching Qualifications

193. **Deputy Finian McGrath** asked the Minister for Education and Skills if he will reply to issues raised in a document (details supplied) regarding maths teaching. [6905/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The issues raised in the document in question are many and varied and relate to the teaching of Maths and the qualifications of Maths teachers. I have arranged for its content to be considered and I will revert to the Deputy in due course.

Departmental Staff

194. **Deputy Dessie Ellis** asked the Minister for Education and Skills the number of teachers who have availed of the Croke Park early retirement scheme from schools in Santry, Whitehall, Finglas, Cabra and Ballymun, Dublin. [6945/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The information sought by the Deputy is not compiled in the format sought. Officials in the Pension Unit of my Department are currently fully occupied addressing the pension benefit entitlements for those who are retiring at this time. The number of teachers in Primary Secondary, Community and Comprehensive schools who have applied to retire in the period 1 January to 29 February 2012 is 1,166. Information received from the Vocational Education Sector indicate that 220 teachers have applied to retire in that sector during that period. A circular was issued by my Department, in July, 2011 requesting School Boards of Management to inform all staff in their schools (who are members of an occupation pension scheme) who intend to retire on or before 29 February 2012 that they are required to give 3 calendar months' notice of their date of retirement. The circular also stated that a notification may not be withdrawn on or after the date indicated as the last day of service. It was pointed out in that circular that failure to give the required notice could result in a delay in payment of pension benefits.

Accordingly, the actual number retiring will not be accurately known until after 29 February, 2012. When the work of processing pension benefits for those retiring has been addressed it is

intended to commence work on compiling detailed statistical data on the number of teachers who retired and to publish this information on my Departments' website.

Public Service Staff

195. **Deputy Terence Flanagan** asked the Minister for Public Expenditure and Reform his plans to rescind the recruitment embargo on the public service; and if he will make a statement on the matter. [6286/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The Government is committed to reducing the Public Service number to 282,500 by 2015. Given the importance of meeting this challenging numbers target, the moratorium on recruitment will remain in place. Any exceptions to the moratorium will continue to be directed towards areas of most need.

In order to mitigate the impact on frontline service provision as far as possible, with the co-operation and flexibility of individual public servants, we will fully use the mechanisms set out in Public Service Reform Plan, including the filling of essential posts and the utilisation of redeployment. Public Service Organisations must fully use all options for discharging work through reorganisation and redeployment of staff. Only after this will the issue of recruitment for current or emerging business needs arise.

Should a Department identify a potential exception to the moratorium on recruitment the sanction of my Department must then be sought. Exceptions to the Moratorium may be granted on the following basis:

- a) statutory posts which have to be filled for legal reasons;
- b) where failure to fill posts would result in a breach of EU/international regulations and impact upon exports, etc.;
- c) safety related posts — failure to fill them could leave the state open to potential legal liabilities or for security reasons;
- d) specialist/technical posts to ensure continuity of operations e.g. legal officers, laboratory staff, maritime safety, etc.;
- e) to ensure continuity of frontline services.

In addition, in the case of the Education and Health Sector, special arrangements apply that allow for limited recruitment in essential frontline services.

Each Sector in the Public Service has been establishing its own Strategic Workforce Planning Group to ensure that sectoral employers are developing plans to deal with the operational and strategic consequences arising from staffing reductions. The sectoral groups are feeding into a central Strategic Workforce Planning Forum under my Department. Factors such as emerging demographic gaps in management grades will also be considered; measures such as the recently advertised graduate recruitment competition at Administrative Officer level will address such gaps.

Garda Stations

196. **Deputy Simon Harris** asked the Minister for Public Expenditure and Reform if the Office of Public Works will consider its responsibility for the maintenance of Garda stations that it extends to providing disabled access facilities at a station (details supplied); and if he will make a statement on the matter. [6416/12]

197. **Deputy Simon Harris** asked the Minister for Public Expenditure and Reform if the Office of Public Works will consider its responsibility for the maintenance of Garda stations that it extends to addressing the lack of suitable changing facilities for female gardaí at a station (details supplied); and if he will make a statement on the matter. [6417/12]

198. **Deputy Simon Harris** asked the Minister for Public Expenditure and Reform if the Office of Public Works will consider its responsibility for the maintenance of Garda stations that it extends to painting a station (details supplied); and if he will make a statement on the matter. [6418/12]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): I propose to take Questions Nos. 196 to 198, inclusive, together.

The Commissioners of Public Works undertake works such as re painting, improvement of welfare facilities and improvement of access facilities at Garda Stations in line with priorities set by An Garda Síochána. The Commissioners do not currently have a request for such works at the Garda Station, the subject of the Deputy's questions. If such a request is made, due consideration will be given at that stage.

Departmental Expenditure

199. **Deputy Niall Collins** asked the Minister for Public Expenditure and Reform the total cost of the 2011 Dublin West by-election; and if he will provide a sub-heading breakdown of the costs and the cost of holding a recount as ordered by one of the candidates. [6641/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Returning Officers are required to submit accounts to the Department of Finance within six months of holding an election. The accounts for the recent by-election have not yet been submitted and an accurate break down of costs will not be available until that time. However, €231,000 was advanced to the returning officer to cover the estimated cost of holding the by-election.

Departmental Bodies

200. **Deputy Thomas P. Broughan** asked the Minister for Public Expenditure and Reform if he has reviewed proposals to address excessive pay in the private and public sectors in the UK and other EU states; if he is considering any similar proposals including the establishment of a top pay commission to examine and invigilate pay in the private and public sectors; and if he will make a statement on the matter. [6848/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I have no plans to establish a commission to examine levels of pay in the private and public sectors of the economy. Apart from instances where statutory rates of pay apply, pay rates in the private sector are generally a matter for negotiation between individual employers and employees. My responsibilities in relation to pay extend to the public service where the Government has a direct role in the determination of pay rates as employer.

Pay rates in the public service have already been reduced by up to 15% and a progressive pension related reduction applied through the Financial Emergency Measures in the Public Interest Acts of 2009. In relation to the remuneration of senior positions in the public service and the Commercial State Companies, the Government accepted my proposals to introduce a general pay ceiling of €200,000 for future appointments to higher positions across the public service, a general pay ceiling of €250,000 for future appointments to CEO posts within Commercial State Companies and a voluntary waiver system of up to 15% for current post holders who

have salaries in excess of the relevant pay ceiling. I have no plans to undertake further reviews of public service pay based on policy proposals in other jurisdictions at this time.

EU Funding

201. **Deputy John Lyons** asked the Minister for Public Expenditure and Reform the measures he plans to take to access the unspent and unallocated structural and social fund identified at the recent EU summit; and the options he has considered to match any additional funding that may become available [6883/12]

202. **Deputy John Lyons** asked the Minister for Public Expenditure and Reform if he has considered accessing the unspent and unallocated structural and social funds identified at the recent EU summit for the purpose of financing measures for job creation, in particular measures to tackle youth employment; and if he will make a statement on the matter. [6884/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I propose to take Questions Nos. 201 and 202 together.

Following the informal European Council meeting on 30th January, EU Commission President Barroso has launched a special initiative to boost growth and tackle the problem of youth unemployment.

The Commission will work with the eight Member States with the highest youth unemployment rates to develop a plan which could use unallocated structural funds to strengthen national programmes. The Commission will be promoting a plan in each Member State with measures to deal with youth employment and strengthen support schemes for SMEs. President Barroso envisages that the funding would come from existing unallocated EU funds and from any available national funding, from either public or private sources.

Ireland has been allocated a total of €901m in EU Structural Funding for the period 2007-13. Of this, €750 million is assigned to the Regional Competitiveness and Employment (RCE) objective, and the balance to Territorial Co-operation programmes, including the PEACE III (Ireland/NI), INTERREG IVA (Ireland/NI and Western Scotland) and the Ireland Wales Programme. The RCE objective is being delivered through three operational programmes, the National ESF Human Capital Investment OP, managed by the Department of Education and Skills, and the Border Midland and Western (BMW) and Southern and Eastern Regional ERDF (S&E) OPs, managed by the BMW and S&E Regional Assemblies. The general programme priorities in Ireland are the promotion and encouragement of innovation, the knowledge economy, enterprise, research and development, up-skilling the workforce and increasing the participation of groups outside the workforce.

It is expected that the overall objectives of each programme will be achieved and that Ireland will drawdown the funding we have been allocated. At present, Ireland has no unallocated Structural Funds. Recent Commission figures show that Ireland has the highest Cohesion absorption rate in the EU at 48% for the current 2007-2013 Structural and Cohesion funding round and it is estimated that the remaining 52% allocated to Ireland will be drawn down.

I strongly welcome President Barroso's initiative. I and other members of the Government will be working closely with the EU Commission.

As there are no unused Structural and Cohesion funds available for Ireland at present, we will, in the first instance, be looking at whether employment programmes might be re-focused to better effect. If, at a later stage, additional EU funding becomes available, Ireland will make the necessary application.

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Dealing with unemployment is the major priority for the Government and this is an initiative which must be utilized to maximum effect.

Proposed Legislation

203. **Deputy Dominic Hannigan** asked the Minister for Public Expenditure and Reform the position regarding the reform of the Freedom of Information Act; and if he will make a statement on the matter. [6609/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): My Department is at an advanced stage in the preparation of the General Scheme of a Bill to give effect to the commitments in the Programme for Government in relation to Freedom of Information.

Subject to Government approval of the draft Heads of the Bill and other priorities in the Government's legislative programme, I expect to be in a position to introduce the Bill to give effect to the commitment to restore Freedom of Information later this year.

Departmental Staff

204. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform if he will provide a detailed breakdown of the number of civil service workers who have availed of the Croke Park early retirement scheme including their Department and grade in tabular form. [6653/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Based on data to hand, the numbers of Civil Servants by Department who are due to retire by end-February 2012, having given notice of their intention to retire, are set out in the attached table, including a breakdown by grade where relevant information is to hand.

Retirements by Department/Office and grade, January-February 2012

Department/Office	Grade	Numbers	Dept Total
Foreign Affairs	Assistant Secretary	4	34
	Counsellors	8	
	First Secretary	2	
	AP	1	
	Assistant Legal Adviser	1	
	Translator	1	
	HEO	2	
	EO	1	
	SO	3	
	CO	10	
	Cleaner	1	
Public, Expenditure and Reform	Second Secretary	1	12
	PO	4	
	AP	5	
	CO	2	
Finance	PO	1	
	AP	3	
	HEO	1	
	SO	2	

Department/Office	Grade	Numbers	Dept Total
	CO	1	
	Asst Head Service Officer	1	
	Service Officer	2	11
State Laboratory	Chemist II	1	
	Lab Analyst	1	2
National Council for Special Education	Special Education Needs Organiser	2	
	AP higher	1	3
Houses of the Oireachtas	CO	2	
	Usher	5	
	Translator	1	
	Assistant Editor	1	9
Justice and Equality	Assistant Secretary	3	
	PO	3	
	AP	8	
	HEO	7	
	EO	2	
	SO	2	
	CO	8	
	Probation officer	11	
	Community Service Supervisor	1	
	Deputy Director (Forensic Science Lab)	1	
	Senior Lab Analyst	1	
	Solicitor	1	48
Transport, Tourism and Sport	Aeronautical Officer	1	
	AP	3	
	HEO	3	
	EO	3	
	Radio Officer II	1	
	Radio Officer III	3	
	Electronics Officer	1	
	Service Officer	1	
	CO	7	23
OPW	Architectural Assistant Level 4	5	
	Chief Technical Officer	1	
	HEO	4	
	Engineer Grade 1	2	
	Architect	1	
	Principal Architect	1	
	Asst Principal Architect	3	
	CO	1	
	PO Higher	2	
	District Inspector	1	
	HEO	1	
	Senior Architect	6	
	Parks Superintendent	2	
	EO	3	
	Principal Engineering Draughtsman	1	
	AP	1	

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Department/Office	Grade	Numbers	Dept Total		
Defence	Engineering tech grade 1 level 4	1	36		
	PO	1			
	AP	1			
	HEO	1			
	EO	1			
	CO	1			
Ombudsman	Director General	1	1		
Revenue Commissioners	Commissioner	1	222		
	PO	10			
	AP	43			
	HEO	55			
	EO	66			
	SO	6			
	CO	36			
	Service Officer	5			
	Environment, Community and Local Government	Supervising Housing Inspector		1	25
		Senior Meteorologist		1	
Meteorologist		1			
Local Government Auditor		1			
Principal Meteorological Officer		1			
Meteorological Officer		1			
Principal Auditor		1			
PO		1			
AP		4			
HEO		3			
EO		3			
SO		1			
CO		4			
Service Officer		2			
Communications, Energy and Natural Resources		Assistant Director	1	11	
		AP	2		
	CO	1			
	HEO	2			
	Petroleum Exploration (Specialist)	1			
	PO	1			
	Principal Geologist	1			
	Senior Geologist	2			
Education and Skills	Secretary General	1	32		
	CO	1			
	SO	2			
	EO	3			
	HEO	3			
	AP	2			
	PO	2			
	Inspector	10			
	Psychologist	7			
	Service Officer	1			

Department/Office	Grade	Numbers	Dept Total
State Examinations Commission	Examination and Assessment Manager	3	
	AP	1	
	EO	1	
Valuation Office	Head Service Officer	1	6
	Managing Valuer (PO)	2	
	Valuer Grade 1	2	
	Valuer Grade 2	1	
	Valuer Grade 3 (AO)	1	
	EO	1	7
Agriculture, Food and the Marine	Agricultural Inspector	4	
	Area Superintendent	3	
	Assistant Principal	8	
	Chief Analyst	1	
	Chief Engineer (Fisheries) on PO scale	1	
	Clerical Officer	22	
	Dairy Produce Officer	1	
	District Superintendent	14	
	Engineer Grade 2 (Harbour Master)	1	
	Executive Officer	16	
	Forestry Inspector Grade 1	1	
	Forestry Inspector Grade 2	2	
	Higher Executive Officer	11	
	Inspector Grade 2	1	
	Laboratory Analyst	1	
	Laboratory Attendant	2	
	Poultry Officer	2	
	Principal	1	
	Research Officer	1	
	Rural General Operative Band 3	3	
	Seed Analyst	1	
	Senior Dairy Produce Officer	1	
	Senior Inspector	2	
	Senior Lab Analyst	4	
	Senior Service Asst	1	
	Senior Solicitor	1	
	Senior Research Officer	1	
	Senior Superintending Vet Inspector	1	
	Senior Surveyor	1	
	Services Officer	1	
	Staff Officer	2	
	Superintending Sen. Research Officer	1	
Superintending Vet. Inspector	4		
Supervisory Agricultural Officer	20		
Technical Agricultural Officer	36		
Technical Grades Level 4	1		
Veterinary Inspector	6	180	
Arts, Heritage and the Gaeltacht	Assistant Secretary	1	
	Assistant Principal	2	

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Department/Office	Grade	Numbers	Dept Total
	HEO	2	
	EO	1	
	CO	3	
	Senior Archaeologist	1	
	Wildlife Inspector Grade 3	1	
	Wildlife Inspector Grade 1	1	
	Conservation Ranger	2	
	Craft Chargehand	2	
	Storekeeper Chief	1	
	General Operative	2	
	Seasonal Guide	1	20
Public Appointments Service	Assistant Secretary	1	
	HEO	1	2
Social Protection	PO	6	
	AP	14	
	HEO	80	
	EO	42	
	SO	30	
	CO	37	
	Service Officer	5	214
National Gallery of Ireland	Security Attendants	2	2
Health		3	3
Central Statistics Office	Senior Statistician	3	
	Statistician	1	
	PO	1	
	AP	2	
	HEO	1	
	EO	2	
	Tourist Enumerator	1	
	Employee Assistance Officer	1	
	QNHS Interviewer	2	14
Courts Service	Assistant Principal Officer	4	
	HEO	14	
	EO	11	
	SO	1	
	CO	10	
	Court Messenger	2	
	Bankruptcy Inspector	1	43
Office of the Attorney General	Assistant Parliamentary Counsel Grade II	1	1
Jobs, Enterprise and Innovation	PO	9	
	AP	10	
	HEO	9	
	EO	5	
	CO	3	
	Service Officer	1	37
	Office of the Chief State Solicitor	2	2

Department/Office	Grade	Numbers	Dept Total
Comptroller and Auditor General	Comptroller and Auditor General	1	
	Deputy Director of Audit	1	
	Senior Auditor	2	
	Clerical Officer	1	5
Irish Prison Service		52	52
National Council for Curriculum and Assessment		1	1
Taoiseach	Principal Officer	1	
	EO	1	
	Head Service Officer	1	3
	Total	1,066	1,066

Exchequer Savings

205. **Deputy Sean Fleming** asked the Minister for Public Expenditure and Reform if he will outline for each year from 2008 to 2015, the reduction in the gross pay bill for public servants, which totalled €2.5 billion for the period as referred to in the public service reform document, published by him on 17 November 2011, as a result of the numbers that are expected to have fallen by 37,500 since 2008; and if he will make a statement on the matter. [6677/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The reduction in the gross Exchequer pay bill from 2008-2015 is as follows:

Year	Gross Pay €bn
2008	17.2
2009	17.5
2010	15.9
2011	15.7
2012	15.3
2013	15.0
2014	14.7
2015	14.6

Local Authority and Oireachtas staff are not included in the Exchequer pay bill.

2011 and 2012 figures are estimates as per Budget 2012. 2013-2015 figures are forecasts.

The Government target for public service numbers in 2015 is 282,500. When delivered this will have reduced the gross Exchequer pay bill by over €2.5bn since 2008.

Departmental Expenditure

206. **Deputy Sean Fleming** asked the Minister for Public Expenditure and Reform if he will outline in a tabular form, on a year by year basis from 2008 to 2015, in respect of staff leaving the public service, the cost of lump sums; the cost of severance payments; the cost of pensions of those leaving the service through retirement or other means; the loss of the pension levy from employees who have left; the loss of superannuation payments from retired or departed employees; and if he will make a statement on the matter. [6679/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): In the time allowed it is not possible to provide a detailed response to the Deputy. The information will be provided to him as soon as possible. Corresponding information in respect of other Departments should be sought from the relevant Minister.

Departmental Staff

207. **Deputy Dara Calleary** asked the Minister for Public Expenditure and Reform his plans for the hiring of seasonal outdoor staff in County Mayo; when these positions will be filled; and if vacant positions will be publicly advertised. [6757/12]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): The Office of Public Works anticipates filling six seasonal drainage posts in the Co. Mayo area from April 2012. These posts will be filled from panels which were established arising from previous public competitions. Any other vacancies will be advertised in the local media and on the OPW website, but the moratorium on recruitment in the public service dictates that further opportunities will be limited.

Departmental Expenditure

208. **Deputy Catherine Murphy** asked the Minister for Public Expenditure and Reform if any remuneration, stipend, expense facility, financial facility or similar payment is being made from the Exchequer to any senior public servant who has retired from the public service beyond any accrued pension entitlements; if any such payment has been sanctioned for current senior public servants who are about to retire; if he will detail by list the name, positions and details of any relevant moneys paid or scheduled to be paid of any person in receipt of or sanctioned to receive such a payment; and if he will make a statement on the matter. [6843/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The information sought by the Deputy is being collated in respect of retired Civil or Public Servants being paid by my Department or being paid by any bodies under its aegis. The information will be provided to him as soon as possible. Corresponding information in respect of other Departments should be sought from the relevant Minister.

Health and Safety Regulations

209. **Deputy Dessie Ellis** asked the Minister for Jobs, Enterprise and Innovation if he will ensure that proper safety precautions are being taken in the National Car Test sites and that workers' health and safety guidelines are respected, especially in regard to the full extraction method of dealing with car fumes. [6289/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Government Ministers do not have responsibilities under occupational health and safety legislation insofar as National Car Test Centres are concerned.

The National Car Test Centres are places of work which like all other workplaces are subject to health and safety legislation. It is the employer's duty to ensure that worker's health and safety is managed in workplaces.

Employers have a duty under the Safety, Health and Welfare at Work Act 2005 to ensure that the potential hazards to their employees are identified and controlled so as to either eliminate or minimise the risks associated with the identified hazards.

In all workplaces, an employer is required to have a health and safety management system, including a site-specific safety statement and risk assessment that identifies the controls that are in place to control the identified risks and protect those at work.

Employees at a place of work should be advised of and familiar with what the identified risks and controls are.

The Health and Safety Authority is the national statutory body with responsibility for enforcing occupational safety and health law and, where breaches of such law are identified, the Authority takes appropriate action which can include criminal prosecution.

Departmental Agencies

210. **Deputy Michael McCarthy** asked the Minister for Jobs, Enterprise and Innovation if he will provide an update on the planned transfer of a site (details supplied) to Cork County Council from the Industrial Development Agency; the stage the project is currently at; if he will consider expediting the matter in view of the delay experienced in progressing same to date; and if he will make a statement on the matter. [6762/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The purchase and disposal of lands by IDA Ireland is a matter for which the agency has been assigned responsibility under legislation and is one in which I have no direct role.

IDA Ireland has informed me that it is currently progressing the transfer of lands at Miles and Cloheen, Clonakilty and Brookpark, Dunmanway with Cork County Council. The contract documents are being prepared and are scheduled to be forwarded to Cork County Council in two weeks time.

Housing Management Companies

211. **Deputy Gerald Nash** asked the Minister for Jobs, Enterprise and Innovation the number of estate management companies registered with the Companies Office for the purposes of managing private residential developments; if he will provide information as to the number of such companies which were declared insolvent in the years 2008, 2009 and 2010 respectively; and if he will make a statement on the matter. [6314/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): As part of the company incorporation process companies must indicate to the Companies Registration Office the purpose for which the company is being formed and indicate an activity in the State in accordance with the relevant classification system.

In relation to the Deputy's question the relevant business activity in accordance with the classification system in use is "Management of real estate on a fee or contract basis". Currently on the Companies Office Register there are 7,853 such companies with a normal status. In addition there are 2,847 such companies which are dissolved, 39 which are in the process of liquidation and 23 which are in receivership.

In 2008, there were no such companies placed into insolvent liquidation. In the years from 2009 to 2011 there were four, nine and nine such companies placed into insolvent liquidation respectively.

Job Creation

212. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the cost per job created by the Industrial Development Agency in County Tipperary for each year since 2007. [6319/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The cost per job as published in IDA Ireland's Annual Reports for the years 2009 and 2010, which are available on the agency's web-site, is set out in the accompanying table. Information relating to 2011 will be included in the 2011 Annual Report which will be published later this year. The Agency has informed me that it does not present this material on a County basis.

IDA Cost Per Job Sustained Constant 2010 Prices

1995-2001	1996-2002	1997-2003	1998-2004	1999-2005	2000-2006	2001-2007	2002-2008	2003-2009	2004-2010
€	€	€	€	€	€	€	€	€	€
16,304	18,525	18,210	16,165	14,219	12,903	12,899	12,495	14,159	14,287

Source: Forfás Annual Employment Survey 2010.

Note: The cost per job sustained is calculated by taking into account all IDA Ireland expenditure to all firms in the period of calculation. Only jobs created during and sustained to the end of each seven year period are credited in the calculations.

213. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the grants awarded by the Industrial Development Agency in County Tipperary for 2010; and the number of jobs created or maintained by each grant. [6320/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I am informed by IDA Ireland that details of grants approved and paid to individual companies is not made publicly available as disclosure of such information could compromise the Agency's negotiating position with other investors. I can confirm, however, that grants paid by IDA Ireland to its client companies in County Tipperary in 2010 totalled €17,055,098.

IDA Ireland has also explained that grants paid in any particular year do not necessarily relate to projects approved in that year and that, consequently, there is no correlation between grants paid and jobs created in any particular year.

The number of jobs created in County Tipperary during 2010 is outlined in the table:

County	Employment Data	2007	2008	2009	2010	2011
Tipperary North	No. of Companies	4	4	4	3	3
Tipperary North	Permanent Employment	583	550	362	277	296
Tipperary North	Gross Gains (New Jobs)	9	13	0	14	22
Tipperary North	Net Change in Other Jobs	-4	-13	-137	3	1
Tipperary North	Job Losses	-100	-46	-188	-99	-3

County	Employment Data	2007	2008	2009	2010	2011
Tipperary South	No. of Companies	12	12	11	11	9
Tipperary South	Permanent Employment	2,981	3,217	3,376	3,255	3,060
Tipperary South	Gross Gains (New Jobs)	604	262	252	56	84
Tipperary South	Net Change in Other Jobs	230	16	-47	19	-81

County	Employment Data	2007	2008	2009	2010	2011
Tipperary South	Job Losses	-15	-26	-93	-177	-279

Employment Permits

214. **Deputy John McGuinness** asked the Minister for Jobs, Enterprise and Innovation the status of six employment permit applications submitted on the 29 September 2011 by an employer (details supplied). [6322/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): My Department processes applications in respect of the different types of employment permits and all applications are processed in line with the Employment Permits Act 2006. I wish to advise the Deputy that a significant amount of additional information was required in order to make a decision on these applications. A number of requests have been made to the employer for this information, most recently on the 6th February 2012. On receipt of that information a decision will be made in this case.

Job Creation

215. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the number of Enterprise Ireland jobs that were provided and supported in each of the 26 counties for the past five years by the Enterprise Ireland, the county enterprise boards and Science Foundation Ireland. [6442/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): This is a day-to-day operational matter for the agencies and enterprise boards concerned. I understand that Enterprise Ireland and Science Foundation Ireland have provided the information requested directly to the Deputy in reply to PQ 40812/11 answered on 11 January last. Information regarding jobs supported by the County and City Enterprise Boards particular to this Question will be forwarded in the same way by the CEB Central Co-ordination Unit within Enterprise Ireland.

Enterprise Support Services

216. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if he will detail the grants made by Enterprise Ireland in each of the 26 counties for the past five years. [6443/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): This is a day-to-day operational matter for Enterprise Ireland. I understand that Enterprise Ireland provided the information requested directly to the Deputy in reply to PQ40812/11 answered on 11 January 2012.

Departmental Agencies

217. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if he will detail the grants made by county enterprise boards in each of the 26 counties for the past five years. [6444/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The role of the County and City Enterprise Boards (CEBs) is to provide support for micro-enterprises in the start-up and expansion phases, to promote and develop indigenous micro-enterprise potential and to stimulate economic activity and entrepreneurship at local level. CEBs offer both grants and a range of training, mentoring and business advice services. The information regarding

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grants issued as requested by the Deputy is set out in tabular form as follows for the most recent five years for which figures are currently available:

CEB Payments	2006	2007	2008	2009	2010
	€	€	€	€	€
Carlow	211,035.19	230,922.81	182,246.44	441,060.42	260,406.80
Cavan	278,540.62	326,688.56	311,912.65	179,113.00	274,396.79
Clare	376,530.00	240,399.00	236,770.00	300,616.47	332,072.00
Cork City	180,738.36	179,060.56	364,709.60	209,458.68	306,040.20
Cork North*	0.00	0.00	0.00	100,000.00	69,946.00
Cork South	355,109.08	489,321.05	430,001.10	309,458.68	287,825.86
Cork West	258,297.45	120,347.31	266,592.32	244,750.15	299,698.36
Donegal	475,307.61	555,852.49	692,523.55	261,507.52	403,349.66
Dublin City	770,094.95	853,510.10	721,179.63	664,492.16	754,729.83
Dún Laoghaire/Rathdown	453,693.55	711,911.19	542,187.00	595,164.00	539,187.82
Fingal	376,169.16	534,900.00	326,313.00	394,923.69	401,093.21
Galway	444,321.00	445,900.00	432,703.00	455,927.00	479,771.95
Kerry	349,230.00	379,840.00	504,247.31	428,093.34	186,744.08
Kildare	158,335.70	444,628.00	352,385.00	133,636.00	291,608.00
Kilkenny	380,142.41	256,843.89	342,280.76	363,862.00	246,088.29
Laois	219,264.00	394,931.05	353,666.70	146,270.00	268,702.00
Leitrim	184,599.00	175,926.69	193,731.00	160,793.33	203,735.34
Limerick City	189,963.50	159,180.89	215,074.75	240,062.00	243,128.99
Limerick Co.	349,757.89	357,199.00	314,702.00	293,529.00	524,493.00
Longford	257,345.00	261,244.00	233,183.00	187,626.00	230,934.00
Louth	305,411.03	216,188.75	236,617.00	191,712.40	249,940.14
Mayo	438,939.00	349,814.00	554,920.00	243,396.00	429,409.00
Meath	204,813.00	252,974.21	286,335.70	228,797.00	230,515.00
Monaghan	219,325.00	250,490.50	135,953.13	191,112.86	230,740.14
Offaly	253,104.00	357,092.00	329,707.00	248,104.00	250,996.00
Roscommon	403,420.41	315,710.40	219,214.84	340,218.08	343,335.27
Sligo	280,811.00	423,450.00	348,565.00	323,834.00	280,464.00
South Dublin	482,250.00	542,500.00	317,500.00	487,500.31	478,770.10
Tipperary NR	238,850.00	252,329.00	308,873.00	273,051.00	126,636.50
Tipperary SR	329,393.00	304,586.70	240,752.38	218,655.32	143,605.00
Waterford City	163,417.63	244,640.08	279,599.66	174,016.21	315,176.20
Waterford Co	226,164.09	295,171.94	281,326.69	225,483.51	332,955.36
Westmeath	314,240.33	466,917.35	345,552.55	376,428.35	381,709.38
Wexford	223,760.74	603,866.56	392,569.99	413,592.05	341,751.06
Wicklow	269,142.83	377,530.98	354,165.91	319,292.77	339,704.80
Total	10,621,516.53	12,371,869.06	11,648,061.66	10,365,537.30	11,079,660.13

*Cork North CEB piloted a move from Measure 1 Grant Aid to an interest Paid Small Business Loan Scheme in 2000. In conjunction with the Credit Unions in the area, Cork North CEB operated an Interest Paid Small Business Loan Scheme under which the CEB client was provided with a Credit Union loan in respect of eligible capital costs but the CEB, by way of contribution/assistance towards the client project covered the interest charges arising. The CEB implemented this form of assistance as a move away from direct financial assistance to softer forms of support such as mentoring and training. In 2008/2009 the Board re-evaluated local needs and requirements and in 2009 returned to direct grant-support/issue.

218. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if he will detail the grants made by Science Foundation Ireland in each of the 26 counties for the past five years. [6445/12]

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Sean Sherlock): This is a day-to-day operational matter for Science Foundation Ireland. I understand that SFI have provided the information requested directly to the Deputy in reply to Question No. 301 answered on 11 January last.

Industrial Development

219. **Deputy Sean Fleming** asked the Minister for Jobs, Enterprise and Innovation the number of industrial development agency supported jobs currently in existence on a county basis; and if he will make a statement on the matter. [6676/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I am informed by IDA Ireland that, at the end of 2011, there were 130,499 people employed in Ireland in 1,004 companies supported by the Agency. The following table, which has been compiled by IDA Ireland, provides details of the number of jobs created and lost in companies supported by IDA Ireland, on a county basis, over the period 2007 to 2011:

IDA Ireland Jobs Created and Loss by County and by Region from 2007 to 2011

County	Employment Data	2007	2008	2009	2010	2011
Cavan	No. of Companies	5	5	5	6	6
Cavan	Permanent Employment	1,065	1,071	1,033	1,035	1,016
Cavan	Gross Gains (New Jobs)	59	32	18	52	3
Cavan	Net Change in other Jobs	-38	-49	-6	28	-6
Cavan	Job Losses	-2	-26	-56	-50	-22
Louth	No. of Companies	19	19	21	21	21
Louth	Permanent Employment	1,670	1,533	1,322	1,028	1,080
Louth	Gross Gains (New Jobs)	140	75	34	43	110
Louth	Net Change in other Jobs	-147	4	-67	46	115
Louth	Job Losses	-172	-212	-245	-337	-58
Monaghan	No. of Companies	6	6	6	6	6
Monaghan	Permanent Employment	350	351	353	367	285
Monaghan	Gross Gains (New Jobs)	21	15	19	28	0
Monaghan	Net Change in other Jobs	-55	-34	-13	14	19
Monaghan	Job Losses	-16	-14	-17	-14	-82
North-East	No. of Companies	30	30	32	33	33
North-East	Permanent Employment	3,085	2,955	2,708	2,430	2,381
North-East	Gross Gains (New Jobs)	220	122	71	123	113
North-East	Net Change in Other Jobs	-240	-79	-86	88	128
North-East	Job Losses	-190	-252	-318	-401	-162
Donegal	No. of Companies	14	14	14	12	12
Donegal	Permanent Employment	1,631	1,650	1,685	1,621	1,870
Donegal	Gross Gains (New Jobs)	176	67	63	152	271
Donegal	Net Change in Other Jobs	13	-26	18	9	33
Donegal	Job Losses	-116	-48	-28	-216	-22
Leitrim	No. of Companies	6	5	5	5	4
Leitrim	Permanent Employment	1,021	1,013	988	972	780

[Deputy Richard Bruton.]

County	Employment Data	2007	2008	2009	2010	2011
Leitrim	Gross Gains (New Jobs)	4	35	5	6	57
Leitrim	Net Change in Other Jobs	-60	95	-38	12	19
Leitrim	Job Losses	-50	-43	-30	-81	-199
Sligo	No. of Companies	19	20	20	20	20
Sligo	Permanent Employment	2,234	2,273	2,190	1,999	2,041
Sligo	Gross Gains (New Jobs)	36	103	54	53	93
Sligo	Net Change in Other Jobs	8	-20	19	18	84
Sligo	Job Losses	-255	-64	-137	-244	-51
North-West	No. of Companies	39	39	39	37	36
North-West	Permanent Employment	4,886	4,936	4,863	4,592	4,691
North-West	Gross Gains (New Jobs)	216	205	122	270,	371
North-West	Net Change in Other Jobs	-39	49	-1	123	106
North-West	Job Losses	-421	-155	-195	-541	-272
Laois	No. of Companies	3	3	4	4	2
Laois	Permanent Employment	129	109	115	124	100
Laois	Gross Gains (New Jobs)	3	0	17	10	3
Laois	Net Change in Other Jobs	-10	-3	2	4	-1
Laois	Job Losses	-43	-20	-11	-1	-27
Longford	No. of Companies	8	8	7	6	6
Longford	Permanent Employment	905	847	781	658	608
Longford	Gross Gains (New Jobs)	19	30	8	4	0
Longford	Net Change in Other Jobs	-28	-3	1	19	-11
Longford	Job Losses	-79	-88	-74	-127	-50
Offaly	No. of Companies	10	10	9	9	10
Offaly	Permanent Employment	1,154	1,135	1,030	768	721
Offaly	Gross Gains (New Jobs)	53	29	22	22	31
Offaly	Net Change in Other Jobs	-70	83	-64	-59	22
Offaly	Job Losses	-91	-48	-127	-284	-78
Roscommon	No. of Companies	8	8	8	7	7
Roscommon	Permanent Employment	905	946	855	804	837
Roscommon	Gross Gains (New Jobs)	9	41	0	12	45
Roscommon	Net Change in Other Jobs	8	-1	32	-43	39
Roscommon	Job Losses	-30	0	-91	-63	-12
Westmeath	No. of Companies	20	20	19	19	19
Westmeath	Permanent Employment	2,141	2,053	1,804	1,892	2,030
Westmeath	Gross Gains (New Jobs)	317	134	231	128	194
Westmeath	Net Change in Other Jobs	52	41	-154	93	-47
Westmeath	Job Losses	-245	-222	-480	-40	-56
Midlands	No. of Companies	49	49	47	45	44
Midlands	Permanent Employment	5,234	5,090	4,585	4,246	4,296
Midlands	Gross Gains (New Jobs)	401	234	278	176	273
Midlands	Net Change in Other Jobs	-48	117	-183	14	2
Midlands	Job Losses	-488	-378	-783	-515	-223
Galway	No. of Companies	53	52	49	52	58
Galway	Permanent Employment	9,896	9,743	9,138	9,396	10,207
Galway	Gross Gains (New Jobs)	433	611	442	768	980
Galway	Net Change in Other Jobs	53	-858	-353	100	918

County	Employment Data	2007	2008	2009	2010	2011
Galway	Job Losses	-619	-764	-1,047	-510	-169
Mayo	No. of Companies	19	19	18	18	18
Mayo	Permanent Employment	3,004	3,010	2,948	3,112	3,110
Mayo	Gross Gains (New Jobs)	114	132	97	183	85
Mayo	Net Change in Other Jobs	121	-14	-105	52	46
Mayo	Job Losses	-83	-126	-159	-19	-87
West	No. of Companies	72	71	67	70	76
West	Permanent Employment	12,900	12,753	12,086	12,508	13,317
West	Gross Gains (New Jobs)	547	743	539	951	1,065
West	Net Change in Other Jobs	143	-878	-396	-129	66
West	Job Losses	-702	-890	-1,206	-529	-256
Clare	No. of Companies	10	10	10	10	10
Clare	Permanent Employment	1,021	1,144	1,173	1,182	1,158
Clare	Gross Gains (New Jobs)	22	139	122	30	16
Clare	Net Change in Other Jobs	6	35	-79	-75	4
Clare	Job Losses	-35	-16	-93	-21	-40
Limerick	No. of Companies	43	44	41	41	44
Limerick	Permanent Employment	9,040	8,634	6,287	6,022	6,131
Limerick	Gross Gains (New Jobs)	298	288	172	163	242
Limerick	Net Change in Other Jobs	208	-1,311	-320	14	10
Limerick	Job Losses	-452	-694	-2,519	-428	-133
Tipp North	No. of Companies	4	4	4	3	3
Tipp North	Permanent Employment	583	550	362	277	296
Tipp North	Gross Gains (New Jobs)	9	13	0	14	22
Tipp North	Net Change in Other Jobs	-4	-13	-137	3	1
Tipp North	Job Losses	-100	-46	-188	-99	-3
Mid-West	No. of Companies	57	58	55	54	57
Mid-West	Permanent Employment	10,644	10,328	7,822	7,481	7,585
Mid-West	Gross Gains (New Jobs)	329	440	294	207	280
Mid-West	Net Change in Other Jobs	210	-1,289	-536	137	55
Mid-West	Job Losses	-587	-756	-2,800	-548	-176
Cork	No. of Companies	143	137	136	135	133
Cork	Permanent Employment	20,645	21,273	20,017	20,435	21,522
Cork	Gross Gains (New Jobs)	1,756	2,116	1,108	1,385	1,957
Cork	Net Change in Other Jobs	68	-449	-258	1,075	-166
Cork	Job Losses	-1,695	-1,488	-2,364	-967	-870
Kerry	No. of Companies	15	15	14	15	12
Kerry	Permanent Employment	1,820	1,798	1,407	1,313	1,294
Kerry	Gross Gains (New Jobs)	116	86	25	50	163
Kerry	Net Change in Other Jobs	13	-13	-1	19	3
Kerry	Job Losses	-47	-108	-416	-144	-182
South-West	No. of Companies	158	152	150	150	145
South-West	Permanent Employment	22,465	23,071	21,424	21,748	22,816
South-West	Gross Gains (New Jobs)	1,872	2,202	1,133	1,435	2,120
South-West	Job Losses	-1,742	-1,596	-2,780	-1,111	-1,052
South-West	Net Change in Other Jobs	81	-462	-259	1,094	-163
Carlow	No. of Companies	7	9	9	7	7
Carlow	Permanent Employment	411	457	431	316	391

[Deputy Richard Bruton.]

County	Employment Data	2007	2008	2009	2010	2011
Carlow	Gross Gains (New Jobs)	3	74	49	87	75
Carlow	Net Change in Other Jobs	-34	-35	5	-22	122
Carlow	Job Losses	-262	-28	-75	-20	20
Kilkenny	No. of Companies	6	5	4	4	3
Kilkenny	Permanent Employment	476	468	356	371	399
Kilkenny	Gross Gains (New Jobs)	93	1	0	17	33
Kilkenny	Net Change in Other Jobs	5	6	-7	60	-41
Kilkenny	Job Losses	-53	-9	-112	-2	-5
Tipp South	No. of Companies	12	12	11	11	9
Tipp South	Permanent Employment	2,981	3,217	3,376	3,255	3,060
Tipp South	Gross Gains (New Jobs)	604	262	252	56	84
Tipp South	Net Change in Other Jobs	230	16	-47	19	-81
Tipp South	Job Losses	-15	-26	-93	-177	-279
Waterford	No. of Companies	33	32	33	32	31
Waterford	Permanent Employment	6,386	6,079	5,622	5,329	4,637
Waterford	Gross Gains (New Jobs)	376	176	112	146	72
Waterford	Net Change in Other Jobs	18	84	-12	84	-224
Waterford	Job Losses	-183	-483	-569	-439	-764
Wexford	No. of Companies	11	11	12	12	12
Wexford	Permanent Employment	1,972	1,990	1,915	1,948	1,952
Wexford	Gross Gains (New Jobs)	67	91	14	100	51
Wexford	Net Change in Other Jobs	-10	1	-44	97	-33
Wexford	Job Losses	-59	-73	-89	-67	-47
South-East	No. of Companies	69	69	69	66	62
South-East	Permanent Employment	12,226	12,211	11,700	11,219	10,439
South-East	Gross Gains (New Jobs)	1,143	604	427	406	315
South-East	Net Change in Other Jobs	209	72	-105	238	-257
South-East	Job Losses	-572	-619	-938	-887	-1,095
Dublin	No. of Companies	527	509	497	495	492
Dublin	Permanent Employment	53,175	53,280	48,636	48,436	51,910
Dublin	Gross Gains (New Jobs)	5,266	4,353	2,276	4,228	6,540
Dublin	Net Change in Other Jobs	-1,118	92	-26	169	620
Dublin	Job Losses	-4,076	-4,248	-6,920	-4,428	-3,066
Kildare	No. of Companies	29	28	27	28	26
Kildare	Permanent Employment	11,123	10,610	9,127	9,937	9,958
Kildare	Gross Gains (New Jobs)	69	113	30	1,228	398
Kildare	Net Change in Other Jobs	-217	-96	-115	281	-13
Kildare	Job Losses	-723	-626	-1,513	-418	-377
Meath	No. of Companies	19	18	17	17	16
Meath	Permanent Employment	1,467	1,294	1,136	1,091	1,116
Meath	Gross Gains (New Jobs)	148	134	30	38	53
Meath	Net Change in Other Jobs	-5	-26	33	25	31
Meath	Job Losses	-43	-307	-188	-83	-28
Wicklow	No. of Companies	21	20	19	19	17
Wicklow	Permanent Employment	2,833	2,559	2,328	2,167	1,990
Wicklow	Gross Gains (New Jobs)	190	53	39	13	66
Wicklow	Net Change in Other Jobs	-42	16	3	-8-1	

County	Employment Data	2007	2008	2009	2010	2011
Wicklow	Job Losses	-87	-327	-270	-174	-243
East	No. of Companies	596	575	560	559	551
East	Permanent Employment	68,598	67,743	61,227	61,631	64,974
East	Gross Gains (New Jobs)	5,673	4,653	2,375	5,507	7,057
East	Net Change in Other Jobs	-1,382	-14	-105	467	637
East	Job Losses	-4,929	-5,508	-8,891	-5,103	-3,714
Total IDA	No. of Companies	1,070	1,043	1,019	1,014	1,004
Total IDA	Permanent Employment	140,038	139,087	126,415	125,855	130,499
Total IDA	Gross Gains (New Jobs)	10,401	9,203	5,239	9,075	11,594
Total IDA	Net Change in Other Jobs	-1,066	-2,484	-1,671	2,149	1,474
Total IDA	Job Losses	-9,631	-10,154	-17,911	-9,635	-6,950

Departmental Funding

220. **Deputy Paudie Coffey** asked the Minister for Jobs, Enterprise and Innovation the amount of public funds that have been allocated to Waterford City Enterprise Board for the years 2008, 2009 2010 and 2011; and if he will make a statement on the matter. [6766/12]

221. **Deputy Paudie Coffey** asked the Minister for Jobs, Enterprise and Innovation the number of jobs that have been created in Waterford city in the years 2008, 2009, 2010 and 2011 as a result of support of the Waterford City Enterprise Board; and if he will make a statement on the matter. [6767/12]

222. **Deputy Paudie Coffey** asked the Minister for Jobs, Enterprise and Innovation the number of grants that have been awarded by the Waterford City Enterprise Board for the years 2008, 2009, 2010 and 2011; and if he will make a statement on the matter. [6768/12]

223. **Deputy Paudie Coffey** asked the Minister for Jobs, Enterprise and Innovation the number of businesses that have been supported in Waterford city by Waterford City Enterprise Board in the years 2008, 2009, 2010 and 2011 in tabular form. [6769/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I propose to take Questions Nos. 220 to 223, inclusive, together.

The role of the County and City Enterprise Boards (CEBs) is to provide support for micro-enterprises in the start-up and expansion phases, to promote and develop indigenous micro-enterprise potential and to stimulate economic activity and entrepreneurship at local level. CEBs offer both grants and a range of training, mentoring and business advice services.

Exchequer funding is made available to the CEBs at the start of each year under the Estimates Process. In addition, where savings are identified elsewhere in the Department during the course of the year every consideration is given to making such funds available to the CEBs where they demonstrate and request such additional funding. Details with regard to Waterford City Enterprise Board, as requested by the Deputy, are set out as follows for the most recent years for which figures are currently available.

[Deputy Richard Bruton.]

P6766 — Exchequer Allocations under the Estimates Process (i.e. at the start of each year) to Waterford City Enterprise Board — 2008, 2009, 2010, 2011

Exchequer Allocations	Current (Administration)	Capital	Total Exchequer Allocation
2008	319,268	420,000	739,268
2009	329,528	455,455	784,983
2010	224,108	286,681	510,789*
2011	216,561	339,772	556,333**
Total	1,089,465	1,501,908	2,591,373

Source: CEB Co-ordination Unit.

*Savings within DJEI enabled further Exchequer funds to be made available to the CEBs in 3rd Quarter 2010. Waterford City requested and received an additional Capital allocation of €134,060, bringing the total Allocation to €644,849.

**No request for additional Capital funding was requested when additional Exchequer funds (from DJEI savings) became available in 3rd quarter 2011.

P6767 — Jobs Created in Waterford City as a result of support by the CEB in 2008, 2009, 2010 (figures for 2011 are not yet available)

Year	Net Jobs existing in CEB-supported companies	Net Gains/Losses
2008	809.5	-22.5
2009	662	-147.5
2010	671.5	-58.5
Total	2,143	

Source: CEB Co-ordination Unit.

P6768 — Number of Projects/Businesses Grant Assisted (i.e. Grants approved for assistance) by Waterford City Enterprise Board 2008, 2009, 2010 (2011 not yet available)

Year	No. of Projects Assisted
2008	20
2009	30
2010	22
Total	72

Source: CEB Co-ordination Unit.

P6769 — Number of Businesses that have been supported by Waterford City Enterprise Board 2008, 2009, 2010 (2011 not yet available)

Year	No. of Projects Assisted (Grants)	No. of Participants on CEB Training and Development Programmes
2008	20	330
2009	30	808
2010	22	619
Total	72	1,757

Source: CEB Co-ordination Unit.

Departmental Agencies

224. **Deputy Seán Kenny** asked the Minister for Jobs, Enterprise and Innovation if the Director of Corporate Enforcement and the National Employment Rights Authority have requested permission to employ additional staff; the date of each request; if each request was approved, pending or refused; and if he will make a statement on the matter. [6861/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): In May 2005 the Director of Corporate Enforcement sought additional staff for his Office. In 2007 it was agreed to provide 8 additional staff to the Office. The Department of Justice and Equality also agreed to provide an additional Garda to the Office at that time. At the initiation of the Office of the Director of Corporate Enforcement's investigation into events at Anglo Irish Bank five additional civilian staff were provided to the Office as well as two Gardaí staff from the Department of Justice and Equality. There are currently no outstanding staffing requests from the Director.

No request has been made by NERA for additional staff.

Unemployment Levels

225. **Deputy John Lyons** asked the Minister for Jobs, Enterprise and Innovation if he can outline the way his action plan for jobs will tackle youth unemployment; and if he will make a statement on the matter. [6885/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The Government will shortly publish a policy statement on labour market activation, "Pathways to Work", which will set out its strategies to tackle unemployment and help job seekers to get back to work.

In addition, I am currently finalising the 2012 Action Plan for Jobs on behalf of the Government, for publication in the coming weeks. The Plan will contain a significant number of tangible measures to protect existing jobs and to support the creation of new jobs across the economy. It will set out a range of initiatives to promote enterprise growth, improve competitiveness and develop key sectors of the economy where Ireland can gain a competitive advantage, including in areas such as manufacturing, cloud computing, agri-food and digital gaming.

The 2012 Action Plan will mark a new process by the Government of outlining its plans to support job creation on an annual basis, with the aim having 100,000 more people in work by 2016 and two million people at work by 2020. If we can achieve this level of ambition, it will have a significant impact on tackling unemployment amongst young people.

Question No. 226 withdrawn.

Redundancy Payments

227. **Deputy Finian McGrath** asked the Minister for Social Protection if a person (details supplied) is entitled to a payment. [6394/12]

Minister for Social Protection (Deputy Joan Burton): Under the Redundancy Payments Scheme all eligible employees are entitled to a statutory redundancy lump sum payment on being made redundant. An eligible employee is entitled to two weeks pay for every year of service, plus a bonus week, subject to a maximum ceiling on gross weekly pay of €600. Where an employer is unable or fails to pay the statutory redundancy entitlement to a former employee, a payment can be paid directly to the employee from the Social Insurance Fund.

[Deputy Joan Burton.]

The right of the employee to a redundancy payment must first be established either by a completed Redundancy Certificate (RP50) or, in the absence of that, a decision of the Employment Appeals Tribunal (EAT) following an appeal from the employee.

The time limit for making a claim for a lump sum redundancy payment is 52 weeks after the date of termination of employment. Accordingly, there are 52 weeks in which:

- a redundancy payment can be agreed upon and paid or
- for an employee to give a written claim for a redundancy payment to his/her former employer or
- for the employee to lodge an appeal to the Employment Appeals Tribunal to adjudicate on the right of the employee to a redundancy payment.

While it should be noted that the period of 52 weeks for submitting a claim is the normal period that applies, the Employment Appeals Tribunal has discretion to extend the 52 week time-limit to 104 weeks provided that it receives the necessary claim within 104 weeks of the date of dismissal and is satisfied that the delay by the employee in making his/her claim arose due to reasonable cause.

Social Welfare Appeals

228. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when an appeal will be decided in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [6204/12]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 31 August 2011. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on 30 November 2011 and the appeal has been assigned to an Appeals Officer for consideration.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Social Welfare Benefits

229. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when payment will issue in respect of arrears for a disability application in the case of a person (details supplied) in Dublin 15; and if she will make a statement on the matter. [6205/12]

Minister for Social Protection (Deputy Joan Burton): The arrears will issue shortly to the person concerned.

Question No. 230 withdrawn.

Social Welfare Appeals

231. **Deputy Sandra McLellan** asked the Minister for Social Protection when a decision will be reached by the appeals office in the case of a person (details supplied) in County Cork; if she will expedite the appeal; and if she will make a statement on the matter. [6207/12]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 7 December 2011. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on 5 January 2012 and the appeal will, in due course, be assigned to an Appeals Officer for consideration.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Social Welfare Benefits

232. **Deputy Ciarán Lynch** asked the Minister for Social Protection if existing contributors to her Department's pension scheme are likely to suffer a reduction in their expected benefits; if existing contributors are to be affected, can they count on a period prior to pension age, for example ten years, when there will be no changes; if changes that are scheduled for introduction in 2020 are being brought forward to 2012; and if she will make a statement on the matter. [6211/12]

Minister for Social Protection (Deputy Joan Burton): I would like to say at the outset of this reply that it gives me no satisfaction to have to make any cuts in social welfare payments. However, given the scale of the fiscal crisis the Government inherited and because spending on social protection accounts for nearly 40% of current Government expenditure, savings have to be found in the social welfare system.

In the welfare package presented in Budget 2012, I sought to minimise the impact of the necessary adjustments in my Department's welfare expenditure on groups vulnerable to poverty and social exclusion. The Government has endeavoured insofar as it could to limit cuts in social welfare to households where there is some additional income over and above the basic social welfare payment and in that regard, successfully avoided any general reduction in primary weekly welfare payments.

In addition to the Budgetary imperative, there is an important long-term policy context for the proposed changes to State pension, including the proposed change to pension rate bands being introduced for new customers from September 2012, which is that the challenges facing the Irish pension system are significant. There are currently six people of working age for every pensioner and this ratio is expected to decrease to approximately two to one by 2050. In addition, those aged over 65 will account for a greater proportion of the population while the proportion who are of working age is expected to decline. With increases in life expectancy, more people are living to pension age and living longer in retirement. The period for which a pension will be paid will be greater than the period for which a pension is paid at present. This has obvious and significant implications in relation to the future costs of State pension provision and for the sustainability of pension provision into the future.

Reform of the State pension system is therefore necessary and the proposed changes to the rate bands, outlined in Budget 2012, are part of the reform process underway in my Department. In this context, there are a number of changes planned to State contributory pensions. The changes are as follows:

The minimum paid contributions requirement for State pension (transition) (SPT) and State pension (contributory) (SPC) will increase to 520 in April 2012 as provided for in legislation since 1997.

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State pension age is being increased gradually to 68 years. This will begin in 2014 with the standardisation of State pension age at 66 and SPT will no longer be payable to those who reach age 65 in 2014 or later. State pension age will be increased to 67 years in 2021 and to 68 in 2028.

As announced in Budget 2012, a change to the rates bands for contributory pensions is being introduced from September 2012. This supports the policy objective of aligning the proportion of pension paid with the person's contribution to the PRSI system over a working life. This policy needs to be adhered to if we are to be able to fund pensions into the future. Currently a person with an average of 20-47 PRSI contributions per year over their working life receives a weekly State pension of only €4.50 less than a person with a yearly average of 48 or more PRSI contributions, a situation which is neither fair, equitable nor sustainable.

With effect from September 2012, the rate band of between 20 and 47 yearly average contributions will be replaced with new rate bands of between:

- (i) 40 and 47 yearly average contributions,
- (ii) 30 and 39 yearly average contribution, and
- (iii) 20 and 29 yearly average contributions.

Therefore, the rate of State pension paid to new applicants will be appropriate to the average number of contributions paid. Those who have fewer contributions will receive a lower rate of pension. The maximum rate is unchanged as is the rate for those with yearly average contributions of between 40 and 47. While existing pension recipients are unaffected the changes proposed will apply to new claimants from September 2012.

For those claimants who qualify for a reduced rate of State pension (contributory) and have income needs, they may qualify, depending on their means, for a higher rate of State pension (non-contributory).

Details of the new rates bands for both State pension (transition) and State pension (contributory) are set out in the tables below.

Finally, the current proposed date for the introduction of the 'total contributions approach' to State pension is 2020 and there are no plans at present to bring this forward to 2012.

New State Pension (Transition) Rates

Yearly Average Contributions	Personal Rate Per Week
	€
48 or over	230.30
40-47	225.80
30-39	207.00
24-29	196.00

New State Pension (Contributory) Rates

Yearly Average Contributions	Personal Rate Per Week
	€
48 or over	230.30

Yearly Average Contributions	Personal Rate Per Week
	€
40-47	225.80
30-39	207.00
20-29	196.00
15-19	150.00
10-14	92.00

Social Welfare Appeals

233. **Deputy Ciarán Lynch** asked the Minister for Social Protection the purpose of the holding of an oral hearing as part of the appeal process for an invalidity pension; if the person conducting the hearing is required to be medically qualified; and if she will make a statement on the matter. [6212/12]

Minister for Social Protection (Deputy Joan Burton): Appeals officers are not required to be medically qualified. Their role is to decide any appeal where a person is dissatisfied with the decision given by a deciding officer in relation to entitlement to benefit under the Social Welfare Acts. They act in a quasi-judicial manner and the procedures involved are designed to ensure that every appellant gets full and fair consideration.

An oral hearing is required where the case cannot fairly be decided by way of summary decision. This may be because there are conflicts in the evidence presented by the parties or there is insufficient documentary evidence to enable an appeals officer to decide the case. Whether an oral hearing is required is at the discretion of the appeals officer. In 2011, some 35% of decisions by Appeals Officer were made following an oral hearing.

Social Welfare Benefits

234. **Deputy Michael McGrath** asked the Minister for Social Protection the position regarding payment for a qualified adult under the State pension contributory in respect of a person (details supplied) in County Cork. [6220/12]

Minister for Social Protection (Deputy Joan Burton): The person concerned has been awarded an increase for a qualified adult allowance on his State pension (contributory) for the period 1 January 2010 to 25 July 2011. The amount due will issue this week. He has no entitlement from 26 July 2011, as his wife has been awarded a State pension (transition) from that date.

Social Welfare Appeals

235. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Social Protection further to Parliamentary Question No. 139 of 12 January 2012, the reason that 40% of applications filed in 2011 have not yet been processed; and if she will make a statement on the matter. [6224/12]

Minister for Social Protection (Deputy Joan Burton): The very significant increase in the number of appeals received by the Social Welfare Appeals Office since 2007 has significantly impacted on the processing time for appeals.

Overall, the average processing time for all appeals in 2011 was 25.1 weeks in cases dealt with by way of summary decisions and 52.5 weeks where an oral hearing was required.

These processing times are calculated from the registration date of the appeal to the date of its finalisation and include all activities during this period including time spent in the Depart-

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ment for comments by the Deciding Officer on the grounds of appeal put forward by the appellant and any further investigation, examination or assessment by the Department's Inspectors and Medical Assessors that is deemed necessary. A considerable period of time is added to the process when an oral hearing is required because of the logistics involved in this process.

In an effort to reduce the processing times, the Department appointed 9 additional Appeals Officers during 2011 who augmented the 3 appointments made to the Office in 2010. In addition, a further 10 Appeals Officers, formerly employed by the Community Welfare Services (CWS) of the Health Services Executive joined the Office as part of the integration of the CWS appeals services into the Social Welfare Appeals Office. This brings the total number of Appeals Officers to 39.

I am assured by the Chief Appeals Officer that she is keeping the methods of operation by which the Social Welfare Appeals Office conducts its business under constant review, and that the processes are continuously being enhanced to reduce the backlogs in the Office and, overall, to reduce the processing times for dealing with appeals.

Social Welfare Benefits

236. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Social Protection if the statistics provided in Parliamentary Question No. 139 of 12 January 2012, can be broken down into types of disability that is physical, sensory, learning, emotional, behavioural and autistic spectrum disorders. [6225/12]

Minister for Social Protection (Deputy Joan Burton): The Department does not hold details of the disability type in a format that would allow the provision of the information requested by the Deputy in respect of the domiciliary care allowance (DCA) scheme.

However, a specific data extraction exercise was conducted last year in relation to the outcome of applications for DCA for children with autism-related conditions. This exercise covered the 930 DCA applications processed during the period 1 April 2009 to 31 March 2011 with a stated medical condition within the autism spectrum. Of these, 55% (507 claims) were deemed to satisfy the qualifying criteria, with 45%, (413 claims) deemed ineligible.

Approximately 46% of all claimants were awarded the allowance on initial application in the same period.

Community Employment Schemes

237. **Deputy Michael Healy-Rae** asked the Minister for Social Protection the person that will be in charge of the review of the community employment schemes; and if she will make a statement on the matter. [6253/12]

Minister for Social Protection (Deputy Joan Burton): Following the reductions in the CE training and materials grant announced in the Budget, the Department of Social Protection commenced a review of the financial resources of individual schemes. This review is scheduled to be completed by the end of March and all sponsors have been contacted by Department officers to brief them on the review.

Following the completion of the reviews a Stakeholder Conference will be held to seek views and assist the development of future policy in this area.

Separately, the Community Employment Scheme is included in a second review of the overall range of employment support, activation and work schemes operated by the Department, to assess their contribution to the Department's policy objective of supporting people of working

age into employment. It is being carried out by the Department and is expected to be completed by the end of March. The outcome of this review will guide future policy development.

A commitment has been given that no scheme will be forced to close as a result of the reduction in grants whilst the financial review is on-going.

238. **Deputy Michael Healy-Rae** asked the Minister for Social Protection to whom the sponsoring groups will make their submissions regarding their respective community employment schemes; and if she will make a statement on the matter. [6254/12]

Minister for Social Protection (Deputy Joan Burton): Following the reductions in the CE training and materials grant announced in the Budget, the Department of Social Protection commenced a review of the financial resources of individual schemes. This review is scheduled to be completed by the end of March. All sponsors have been contacted by Department officers at local level to brief them on the review, discuss their returns and deal with any queries that the sponsors may have. The submissions should be made to these officers.

Question No. 239 withdrawn.

Social Welfare Appeals

240. **Deputy John Lyons** asked the Minister for Social Protection when a medical assessment for an appeal will be carried out in respect of a person (details supplied) in County Meath in view of the fact that the original assessment was cancelled. [6295/12]

Minister for Social Protection (Deputy Joan Burton): Payment of illness benefit, to the person concerned, was disallowed by a Deciding Officer following an examination by a Medical Assessor of the Department who expressed the opinion that s/he was capable of work.

An appeal was registered on 22 October 2011 and the Social Welfare Appeals Office has advised me that, in accordance with statutory requirements, the Department was asked for the documentation in the case and the Deciding Officer's comments on the grounds of the appeal. In that context an examination by another Medical Assessor will be carried out on 20 February 2012.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Question No. 241 withdrawn.

242. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when eligibility for disability allowance will be determined in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [6300/12]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 14 October 2011. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on 31 January 2012 and the appeal will, in due course, be assigned to an Appeals Officer for consideration.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

243. **Deputy Simon Harris** asked the Minister for Social Protection the position regarding an appeal in respect of a person (details supplied) in County Wicklow against her decision to refuse disability allowance payments; if she will provide a clear timetable for when the outcome of this appeal can be expected; and if she will make a statement on the matter. [6316/12]

Minister for Social Protection (Deputy Joan Burton): The claim for disability allowance, by the person concerned, was disallowed by a Deciding Officer following an assessment by a Medical Assessor of the Department who was of the opinion that he was medically unsuitable for disability allowance.

The person concerned appealed this decision and I am advised by the Social Welfare Appeals Office that an Appeals Officer, having fully considered all the evidence disallowed the appeal by way of summary decision.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Social Welfare Benefits

244. **Deputy Michael Healy-Rae** asked the Minister for Social Protection if she will review a matter in respect of a person (details supplied) in County Kerry; and if she will make a statement on the matter. [6327/12]

Minister for Social Protection (Deputy Joan Burton): The person concerned started on a Community Employment (CE) scheme in Killarney in September 2011 and has eligibility for one year on the scheme. The full allowance for training for CE participants, before the changes announced in the 2012 Budget, was €500 per participant per year. The person concerned was paid €480 in November 2011 as a contribution towards the cost of the course she is undertaking.

Social Welfare Appeals

245. **Deputy Michael McGrath** asked the Minister for Social Protection the position regarding a domiciliary care allowance application in respect of a person (details supplied) in County Cork. [6351/12]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 17 October 2011. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on 12 January 2012 and the appeal will, in due course, be assigned to an Appeals Officer for consideration.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Question No. 246 withdrawn.

Social Welfare Code

247. **Deputy Robert Dowds** asked the Minister for Social Protection if she will outline her role in the delivery of rent supplement to be paid to private landlords. [6359/12]

248. **Deputy Robert Dowds** asked the Minister for Social Protection the amount that was spent on rent supplement paid to private tenants in each of the years 2010 and 2011. [6360/12]

249. **Deputy Robert Dowds** asked the Minister for Social Protection the amount she hopes to save on rent supplement paid to tenants this year. [6361/12]

250. **Deputy Robert Dowds** asked the Minister for Social Protection if she would consider putting in place a suitability interview system before tenants are given the go-ahead to lease a dwelling using rent supplement. [6362/12]

251. **Deputy Robert Dowds** asked the Minister for Social Protection if she would consider setting a cap on the percentage of households in an estate which can be in receipt of rent supplement; and if she will make a statement on the matter. [6363/12]

252. **Deputy Robert Dowds** asked the Minister for Social Protection if she intends to move from paying rent supplement to tenants to paying it directly to landlords; and if she will make a statement on the matter. [6364/12]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 247 to 252, inclusive, together.

The purpose of rent supplement is to provide short-term income support to eligible people living in private rented accommodation, whose means are insufficient to meet their accommodation costs and who do not have accommodation available to them from any other source. The scheme is intended as a temporary income support payment and is not designed to be a medium to long term housing support or a permanent solution to a person's housing needs. In order to qualify for a payment under the rent supplement scheme a person must satisfy all of the conditions of the scheme including that the accommodation is reasonably suited to the residential and other needs of the person. Expenditure for 2010 and 2011 was €516 million and €503 million respectively. Provision of some €437million has been made for the 2012 scheme.

Budget 2012 has provided for two main changes to rent supplement from 1 January 2012. First, an increase in the weekly minimum contribution payable by all tenants under the rent supplement scheme from €24 per week to €30 per week with a higher rate minimum contribution of €35 per week for coupled households. Secondly, the introduction of new maximum rent limits.

As the Deputy will be aware the community welfare service (CWS), and the community welfare officers providing it, transferred formally to the Department of Social Protection (DSP) from 1 October 2011. The service and the staff are now part of the DSP. As with all statutory schemes, the Minister has no function in relation to the determination of individual entitlements.

In general there is no limit or restriction on the proportion or number of people that may receive rent supplement in an area. However Section 25 of the Social Welfare and Pensions Act 2007 provides that a payment of rent supplement can be refused in respect of accommodation which is situated in an area notified to the Minister for Social Protection by the Minister for the Environment, Community and Local Government, as being an area of regeneration.

Rent supplement payments can, at the request of the tenant and with the agreement of the Department, be paid directly to the landlord. If the Department were to introduce a system whereby all rent supplement payments were to be made directly to landlords the efficiency of the scheme would be significantly affected. For example, the Department would potentially

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have to create a formal relationship with some 96,000 additional clients, the landlords. This would involve greater complexity and significant resources to deal with a new set of third parties.

It would not be an effective use of resources to have departmental staff negotiating rental agreements for those with a short term need who generally enter the scheme with an existing tenancy agreement in place and leave again when they re-enter the workforce.

The Government has effectively two initiatives to deal with long term reliance on rent supplement. The Rental Accommodation Scheme (RAS) is in operation since 2004 and the new Housing Policy Initiative as announced by my colleagues the Minister for the Environment, Community and Local Government and the Minister for Housing and Planning on 16 June 2011.

Both initiatives give the local authorities specific responsibility for meeting the long term housing needs of people receiving rent supplement. Latest figures show that over 37,700 rent supplement tenancies have now been transferred from rent supplement to RAS and other social housing options since its inception.

Social Welfare Appeals

253. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection the reason for the delay in processing an appeal for the one parent family payment in respect of a person (details supplied) in Dublin 10. [6369/12]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that the appeal from the person concerned was referred to an Appeals Officer who proposes to hold an oral hearing in this case.

There has been a very significant increase in the number of appeals received by the Social Welfare Appeals Office since 2007 when the intake was 14,070 to 2010 and 2011 when the intake rose to 32,432 and 31,241 respectively. This has significantly impacted on the processing time for appeals which require oral hearings and, in order to be fair to all appellants, they are dealt with in strict chronological order.

While every effort is being made to deal with the large numbers awaiting oral hearing as quickly as possible, it is not possible to give a date when the person's oral hearing will be heard, but s/he will be informed when arrangements have been made.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Social Welfare Code

254. **Deputy Simon Harris** asked the Minister for Social Protection the criteria by which a person is eligible to apply for rent allowance in a county they are not normally resident in but which they wish to reside in for a number of personal and family reasons; and if she will make a statement on the matter. [6404/12]

Minister for Social Protection (Deputy Joan Burton): To qualify for a Rent Supplement a person must have been residing in private rented accommodation (where at the commencement of the tenancy the person could have reasonably afforded the rent and has experienced a substantial change in his or her circumstances where they are now unable to pay the rent) or

accommodation for homeless persons or in 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 be considered 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 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 by the relevant local housing authority, does the person become eligible for consideration for rent supplement.

Social Welfare Appeals

255. **Deputy Nicky McFadden** asked the Minister for Social Protection the position regarding a disability allowance appeal in respect of a person (details supplied) in County Westmeath; and if she will make a statement on the matter. [6412/12]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 4 October 2011. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on 11 January 2012 and the appeal will, in due course, be assigned to an Appeals Officer for consideration.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Company Closures

256. **Deputy Willie O’Dea** asked the Minister for Social Protection if his attention has been drawn to the forthcoming closure of a company (details supplied) who now have only three weeks of material funding remaining; and if she will make a statement on the matter. [6436/12]

Minister for Social Protection (Deputy Joan Burton): Limerick Community Services Ltd provide a very valuable service in Limerick.

Budget 2012, has resulted in the following changes being made to the Community Employment (CE) scheme: a reduction in the training and materials grants from €1,500 to €500 per participant per annum; the ending of the concurrent entitlement to a CE payment and a social welfare assistance payment for new CE entrants; and the ending of the dual payment of Qualified Child Dependent Increases to CE participants in receipt of certain DSP payments.

In relation to the reduction in the training and materials grant the Department is seeking to minimise the effects of these changes on those schemes most affected and will examine the income and expenditure of schemes with reference to their capacity to absorb the changes made to the grant.

I have directed that a review of the financial resources of individual schemes be completed by the end of March. The purpose of the review is to examine the income and funding of sponsoring organisations in terms of their ability to continue to deliver the programme. As part of the review alternative sources of support will be examined, particularly the level of funding from other State Agencies. The review will also seek to establish if income is generated by

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scheme activity and the potential for utilisation of these funds to cover project costs. The outcome of each review will provide a clear picture of the core funding required for each CE scheme. This will assist the Department in ensuring a fair distribution of the funding available for these schemes.

Assurances have been given to community and voluntary organisations that no CE scheme will be forced to close as a result of the reductions in training and material grants, pending the completion of this review at the end of March. Officials from the Department are engaged in discussions with Limerick Community Services to complete this review.

Social Welfare Appeals

257. **Deputy John Paul Phelan** asked the Minister for Social Protection the reason for the backlog in cases being processed by the appeals office and in particular a case (details supplied) in County Kilkenny; and if she will make a statement on the matter. [6446/12]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 5 January 2012. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on 11 January 2012 and the appeal will, in due course, be assigned to an Appeals Officer for consideration.

There has been a very significant increase in the number of appeals received by the Social Welfare Appeals Office since 2007 when the intake was 14,070 to 2010 and 2011 when the intake rose to 32,432 and 31,241 respectively. This has significantly impacted on the processing time for appeals, especially those which require oral hearings, and, in order to be fair to all appellants, appeals are dealt with in strict chronological order.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Question No. 258 withdrawn.

Social Welfare Code

259. **Deputy Alex White** asked the Minister for Social Protection in view of the phenomenon whereby adult children who are in receipt of social protection payments temporarily return to the family home, principally as a result of a loss of financial independence induced by unemployment and or overwhelming debt burden, whether she will introduce a period of discretion whereby a parent in receipt of a State retirement pension and a household benefit package would retain the latter benefit, thus allowing some space to come to terms with the implications of such a cohabitation arrangement; and if she will make a statement on the matter. [6480/12]

Minister for Social Protection (Deputy Joan Burton): It is not possible to allow household benefits to be retained if the household composition rules are not satisfied. One of the conditions for receipt of the household benefits package is that an applicant who is under age 70, must be living alone or only with excepted people. These excepted people include: a qualified adult; a dependent child or children aged between 18 and 22 years of age, if in full-time education; a person who would qualify for the allowances in his or her own right; or a person providing full time care and attention.

The rules relating to the household composition do not apply where the person who is getting the household benefits is 70 years of age or over.

The household benefits package is made up of three allowances, electricity or gas allowance, telephone allowance and free television licence. These allowances provide contributions towards electricity or natural gas or bottled gas refill bill and telephone bill and cover the cost of the television licence each year. Provision for 2011 on household benefits was €382 million. As of end of December 2011 there were over 400,000 customers on household benefits package.

One of the objectives of the household benefits package is to provide assistance to older people who are living alone or with certain excepted people by targeting them with specific benefits that provide both income and social inclusion gains. Given the current economic situation, I am not in a position to consider extending the scheme to provide for temporary changes to household composition.

Community Employment Schemes

260. **Deputy Catherine Byrne** asked the Minister for Social Protection if she will outline details of changes to community employment schemes relating to double payments; who is affected by these changes; if current participants will be affected if they register and sign a new contract for a further year on CE; and if she will make a statement on the matter. [6490/12]

Minister for Social Protection (Deputy Joan Burton): As announced in the Budget, from 16 January 2012, new participants on community employment (CE) schemes will not be able to simultaneously claim their original social welfare payment and a CE allowance, as per section 12 of the Social Welfare Act 2011. This measure affects those in receipt of the following payments commencing CE after that date: One-Parent Family Payment; Deserted Wife's Benefit; Widow(er)'s Pension; Illness Benefit; Disability Allowance; Invalidity Pension or Blind Pension

These new CE participants will receive payments directly via the CE scheme at a rate equivalent to their original social welfare payment (including any increase for a qualified adult and/or child dependants) plus an additional €20 CE participation bonus.

New participants are defined as those persons who, with effect from 16 January 2012, have not been employed on a CE scheme in the 12 months prior to commencing the current CE placement. CE participants on maternity leave or sick leave at 16 January will not be considered new entrants when they return as they will have participated on CE within the 12 month period. Persons who were approved by DSP staff for CE positions before 16 January 2012 but, due to operational reasons, only commence working on or after 16 January 2012, will be treated as existing CE participants for the purpose of retaining their social welfare payments.

Existing CE participants who have their contracts renewed after the 16 January 2012 will retain their social welfare payment provided they are continuously employed on CE from that date. This provision is subject to the standard CE participation limits and a final cut-off date for double payments of December 2014. All CE participants will receive a single payment only from that date. In addition, payment of two qualified increases per child where the person is employed on a CE scheme and in receipt of either One-Parent Family Payment, Deserted Wife's Benefit/Allowance or Widow(er)'s Pension will cease for new and existing recipients with effect from Monday, 20 February 2012. Existing CE participants will continue to receive increases for qualified children from their original social welfare payment only. New CE participants will receive the qualified child increase (where applicable) on their CE payment.

Social Welfare Code

261. **Deputy Micheál Martin** asked the Minister for Social Protection if recipients of disability

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allowance will also incur a reduction in the rent allowance; and if she will make a statement on the matter. [6507/12]

Minister for Social Protection (Deputy Joan Burton): Rent supplement provides short-term support to eligible people living in private rented accommodation, whose means are insufficient to meet their accommodation costs and who do not have accommodation available to them from any other source. Since 2005, rent supplement expenditure has increased from €369 million to a provisional outturn of €503 million in 2011. The number of persons claiming the allowance increased from almost 60,200 persons in 2005 to over 96,800 at end 2011, a 61% increase.

Budget 2012 provided for an increase in the minimum contribution for a single person on rent supplement from €24 to €30 per week and a new rate of minimum contribution for couples of €35 per week. These measures are applicable to all rent supplement tenants, including those in receipt of disability allowance.

Rent supplement is subject to a limit on the amount of rent that an applicant for rent supplement may incur. These rent limits are set at levels that enable the different categories of eligible tenant households to secure and retain basic suitable rented accommodation, having regard to the different rental market conditions that prevail in various parts of the State. Household size is taken into account and the objective is to ensure that rent supplement is not paid in respect of overly expensive accommodation having regard to the size of the household. The Department may exceed these levels in certain circumstances, e.g. where the applicant may have special housing needs such as those incurred by a disability.

As the Department currently funds approximately 40% of the private rented sector it is essential that State support for rents are kept under review, reflect current market conditions and do not distort the market in a way that could increase rent prices for low paid workers and students.

New maximum rent limits came into force on 1 January 2012. These new limits are in line with the most up to date market data available. The emphasis of the rent limit review was to ensure that maximum value for money for tenants and the taxpayer was achieved whilst at the same time ensuring that people on rent supplement are not priced out of the market for private rented accommodation.

The new maximum rent limits will not change the after accommodation costs income of persons receiving rent supplement. Rather the impact of the change in the rent limits will be on the rents received and expected by landlords.

Social Welfare Appeals

262. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Social Protection the position regarding a disability allowance appeal in respect of a person (details supplied) which has been pending for nearly 19 months; and if she will expedite the matter. [6585/12]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that the appeal from the person concerned was referred to an Appeals Officer who proposes to hold an oral hearing in this case.

There has been a very significant increase in the number of appeals received by the Social Welfare Appeals Office since 2007 when the intake was 14,070 to 2010 and 2011 when the intake rose to 32,432 and 31,241 respectively. This has significantly impacted on the processing

time for appeals which require oral hearings and, in order to be fair to all appellants, they are dealt with in strict chronological order.

While every effort is being made to deal with the large numbers awaiting oral hearing as quickly as possible, it is not possible to give a date when the person's oral hearing will be heard, but s/he will be informed when arrangements have been made.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

263. **Deputy Bernard J. Durkan** asked the Minister for Social Protection further to Parliamentary Question No. 328 of 15 November 2011, the progress made to date in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [6595/12]

Minister for Social Protection (Deputy Joan Burton): This case has been referred to a Social Welfare Inspector for further investigation and the person concerned will be contacted shortly by the Inspector to arrange an interview. Her pension entitlement will be re-examined when the Inspector has concluded the investigation and she will be notified of the outcome.

Social Welfare Benefits

264. **Deputy Niall Collins** asked the Minister for Social Protection the position regarding an application for domiciliary care allowance in respect of a person (details supplied) in County Limerick. [6597/12]

Minister for Social Protection (Deputy Joan Burton): An application for domiciliary care allowance was received on 29th November 2011. This application was referred to one of the Department's Medical Assessors who found that the child was not medically eligible for the allowance. A letter issued on 20th January 2012 advising of the decision.

In the case of an application which is refused on medical grounds, the applicant may submit additional information and/or ask for the case to be reviewed or they may appeal the decision directly to the Social Welfare Appeals Office within twenty one days.

Question No. 265 withdrawn.

266. **Deputy Simon Harris** asked the Minister for Social Protection the eligibility criteria for the confirmation and communion grants; the dates on which this grant will issue for eligible persons in County Wicklow in view of confirmation and communion events being scheduled much earlier this year. [6608/12]

Minister for Social Protection (Deputy Joan Burton): Under the supplementary welfare allowance (SWA) scheme, the Department may make a single exceptional needs payment (ENP) to help meet essential, once-off, exceptional expenditure, which a person could not reasonably be expected to meet out of their weekly income. These ENP payments are a vital component of the SWA scheme and link the income support function of the scheme with the wider welfare role of the Department's Community Welfare Service.

There is no automatic entitlement to a payment, or no predetermined amounts under the different categories for exceptional needs payments. ENP's are payable at the discretion of the officers administering the scheme taking into account the requirements of the legislation and all the relevant circumstances of the case in order to ensure that the payments target those most in need of assistance.

[Deputy Joan Burton.]

A review of the guidelines on Exceptional Needs Payments has recently been carried out by the Department by a working group made up of former Community Welfare Service staff. One of the recommendations emanating from this review is to address the different approaches taken, in different areas, in relation to the payment of exceptional needs payments in respect of religious ceremonies, mainly Communion and Confirmations, and to ensure that the Supplementary Welfare Allowance scheme is responding to financial need and not occasions.

In future, where the Department is satisfied that an exceptional need exists, it is recommended that a maximum payment of €110 can be made in respect of the religious ceremony (mainly Communion and Confirmations).

Persons who consider that they have an entitlement to an ENP under the supplementary welfare allowance scheme should contact the local officials administering the scheme (former Community Welfare Officers).

267. **Deputy Brendan Ryan** asked the Minister for Social Protection the current average waiting time for an application for carer's allowance to be processed; and if she will make a statement on the matter. [6613/12]

Minister for Social Protection (Deputy Joan Burton): The average time taken to award a claim for carer's allowance for quarter to end Sept 2011 was 17 weeks. The average time to award for the last quarter of 2011 is unavailable as, due to the phased introduction of a new claims processing system in the carer's allowance area, new claims are being processed on the new system while older claims are still being processed on the old system.

As mentioned above, a major service delivery modernisation project is underway to improve the efficiency of administration of the carer's allowance scheme. This involves the development of information technology functions and associated business process re-organisation. The first tranche of new carer's allowance claims began to be processed under the new system in August 2011. It is anticipated that the new system will introduce significant processing efficiencies and a quicker and more responsive service to the customer. Accordingly, the project is being given high priority and involves a significant level of time and commitment from the relevant staff in the Department. This has had a short-term negative impact on claim processing times which is expected to continue until the completion of the modernisation project when all existing carer's allowance claims will be transferred onto the new processing system.

Some 7,719 applications are awaiting a decision at present, down from 8,540 at the beginning of September 2011. I acknowledge that the time taken to process carer's allowance claims at present is not satisfactory but I am satisfied that the Department is taking appropriate steps to resolve the situation. In addition to dealing with the approximately 330 new carer's allowance applications that are received each week, overtime working is being applied to help reduce backlogs that have built up chiefly as a result of the effort associated with the service delivery modernisation project.

While the new systems and processes will facilitate a significant improvement in overall processing times, it should be noted that the intake of new carer's allowance applications continues to increase and that individual claims may continue to take some time to process. Entitlement to carer's allowance is based on satisfying medical, means and residency conditions. In determining entitlement to the allowance, in certain cases unavoidable time lags are involved in making the necessary investigations and inquiries to enable accurate decisions to be made. Delays can also arise if those applying for the allowance are not in a position to supply all the necessary information in support of their claim.

In the meantime, if a person's means are insufficient to meet his or her needs while awaiting a decision on a claim, he or she can apply for a means tested supplementary welfare allowance payment from their local community welfare officer.

Social Welfare Appeals

268. **Deputy Tom Fleming** asked the Minister for Social Protection if she will expedite a jobseeker's allowance appeal review in respect of a person (details supplied) in County Kerry; and if she will make a statement on the matter. [6621/12]

Minister for Social Protection (Deputy Joan Burton): Further to my response to Parliamentary Question Ref. No. 1005/12, I am advised by the Social Welfare Appeals Office that there is no update to the information given previously.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

269. **Deputy Tony McLoughlin** asked the Minister for Social Protection when a decision will issue on an application for invalidity pension appeal in respect of a person (details supplied) in County Sligo; and if she will make a statement on the matter. [6622/12]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 8 November 2011. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by the Social Welfare Services on the grounds of appeal be sought. When received, the appeal in question will be referred to an Appeals Officer for consideration.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Social Welfare Code

270. **Deputy Paul J. Connaughton** asked the Minister for Social Protection the position regarding family income supplement (details supplied); and if she will make a statement on the matter. [6647/12]

Minister for Social Protection (Deputy Joan Burton): The query referred to by the Deputy asks whether the Minister has any plans to reform the number of hours worked eligibility criteria for the family income supplement (FIS) payment.

The FIS payment provides income support for employees on low earnings with children. The payment is designed to preserve the financial incentive to take-up or remain in employment in circumstances where the employee might be marginally better off in employment than on social welfare payments.

To qualify for payment of FIS, a person must be engaged in full-time insurable employment which is expected to last for at least 3 months and be working for a minimum of 38 hours per fortnight or 19 hours per week. A couple may combine their hours of employment to meet the qualification criteria. The applicant must also have at least one qualified child who normally resides with them or is supported by them. Furthermore, the average family income must be below a specified amount which varies according to the number of qualified children in the family.

[Deputy Joan Burton.]

The “hours worked” eligibility criteria has been reduced significantly since the introduction of the scheme in 1984. The requirement was initially set at 30 hours per week but was progressively reduced to 19 hours per week in 1996.

I have no immediate plans to make any significant changes to the qualifying criteria for FIS. Further reducing the “hours worked” requirement could have expenditure implications and could only be decided on in a budgetary context. More generally, however, I recognise that creating jobs and tackling poverty are two of the key challenges that we face. It is essential that our tax and social protection systems play their part in addressing these issues and ensure that work is worthwhile. To this end, I established an Advisory Group on Tax and Social Welfare in June of last year with the aim of harnessing expert opinion and experience in order to address a number of specific issues. These include making cost-effective proposals for improving employment incentives and achieving better poverty outcomes, particularly child poverty outcomes.

Question No. 271 withdrawn.

Social Welfare Benefits

272. **Deputy Patrick O’Donovan** asked the Minister for Social Protection the position regarding an application for carer’s allowance in respect of a person (details supplied) in County Limerick; if she will give a timeframe as to when a decision will be made on the application; and if she will make a statement on the matter. [6039/12]

Minister for Social Protection (Deputy Joan Burton): I confirm that the department is in receipt of an application for carer’s allowance from the person in question. On completion of the necessary investigations relating to all aspects of his case a decision will be made and the person concerned will be notified directly of the outcome.

273. **Deputy John McGuinness** asked the Minister for Social Protection if an application for illness benefit will be approved in respect of a person (details supplied) in County Kilkenny. [6693/12]

Minister for Social Protection (Deputy Joan Burton): Payment of illness benefit, to the person concerned, was disallowed by a Deciding Officer following an examination by a Medical Assessor of the Department who expressed the opinion that he was capable of work. An appeal was registered on 20 January 2012 and the Social Welfare Appeals Office has advised me that, in accordance with statutory requirements, the Department was asked for the documentation in the case and the Deciding Officer’s comments on the grounds of the appeal. In that context, an examination by another Medical Assessor will be carried out. The person concerned will be notified when arrangements for the examination have been completed.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Care of the Elderly

274. **Deputy Kevin Humphreys** asked the Minister for Social Protection the progress that has been made on implementing the national carer’s strategy as contained in the Programme for Government; if she has had any discussion with the Department of Health regarding developing such a strategy; and if she will make a statement on the matter. [6748/12]

Minister for Social Protection (Deputy Joan Burton): The national carer's strategy does not come under the remit of my Department. The Taoiseach gave responsibility for the carer's strategy to Minister of State in Department of Health Kathleen Lynch in 2011. Therefore this is a matter for the Department of Health.

Flood Relief

275. **Deputy Éamon Ó Cuív** asked the Minister for Social Protection when final approval will be given to a person (details supplied) in County Galway of assistance to relocate; the reason for the delay to date; and if she will make a statement on the matter. [6752/12]

Minister for Social Protection (Deputy Joan Burton): As the Deputy is aware the Government has provided various types of support to people affected by the November 2009 flooding. Humanitarian Aid payments were made, both in the immediate aftermath of the flooding and subsequently to enable eligible households to resume living at their home. Flood relief works were also undertaken in some of the affected areas and other works are at an advanced state of preparation. Discussions also took place with representatives of the insurance industry regarding giving households access to appropriate house insurance at a reasonable cost.

Subject to certain conditions the Government also decided to provide support to a small number of families who are continuing to experience significant housing problems as a result of the November 2009 flooding and are considering the possibility of relocating rather than resuming living at their original home.

The household of the person concerned has been visited by an official from the Department and a report of their individual circumstances has been completed. The Department has received a report from the Office of Public Works in relation to the house of the person concerned and on the basis of all the relevant facts in the case an offer of financial assistance towards relocation has been made.

A request for a review of the terms and conditions of the offer has been received from the person concerned. This review is currently being considered and it is expected that the result of the review will be made known to the person concerned in the coming weeks.

Social Welfare Benefits

276. **Deputy Gerald Nash** asked the Minister for Social Protection when a decision will issue on an application for carer's allowance in respect of a person (details supplied); and if she will make a statement on the matter. [6764/12]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 13 August 2011. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on 30 November 2011 and the appeal was assigned to an Appeals Officer on 13 January 2012 who will decide whether the case can be decided on a summary basis or whether to list it for oral hearing.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

277. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the progress made to date in determination of eligibility for rent allowance in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [6801/12]

Minister for Social Protection (Deputy Joan Burton): The person concerned was awarded rent supplement on 12 November 2011. On 11 January 2012, their rent supplement was temporarily suspended as their primary jobseeker's payment had been suspended. The rent supplement claim will be reactivated when the impediments with the primary social welfare payment have been resolved.

Question No. 278 withdrawn.

Social Welfare Appeals

279. **Deputy Simon Harris** asked the Minister for Social Protection the position regarding an appeal in respect of a refusal to grant domiciliary care allowance in the case of a person (details supplied) in County Wicklow; if she will provide a timeframe for when this appeal will be completed; and if she will make a statement on the matter. [6771/12]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 17 October 2011. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on 17 January 2012 and the appeal will, in due course, be assigned to an Appeals Officer for consideration.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Social Welfare Benefits

280. **Deputy Michael Healy-Rae** asked the Minister for Social Protection if there is a covert agenda at present to cut 10% of welfare payments that are being made at present from genuine claimants; and if she will make a statement on the matter. [6792/12]

Minister for Social Protection (Deputy Joan Burton): The Government is committed to protecting the vulnerable throughout the course of the difficult fiscal adjustment process that is currently underway. There is absolutely no question of an agenda, covert or otherwise, to cut ten per cent or any other percentage of welfare payments that are being made to genuine claimants. In fact, protecting the vulnerable by securing the long-term financial viability of the social protection system is one of the main benefits the Government is seeking from the restoration of equilibrium to the Government's finances.

Social Welfare Appeals

281. **Deputy Ciarán Lynch** asked the Minister for Social Protection when a decision will issue on an appeal to be granted habitual residence in respect of a person (details supplied); and if she will make a statement on the matter. [6794/12]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 30 November 2011. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on 16 January 2012 and the appeal will, in due course, be assigned to an Appeals Officer for consideration. The Social Welfare Appeals Office functions independently of the Minister for Social Protec-

tion and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Social Welfare Benefits

282. **Deputy Eric Byrne** asked the Minister for Social Protection if she will expedite an application for one-parent family allowance and ensure that an appointment with an inspector is made at her earliest convenience in respect of a person (details supplied) in Dublin 6W. [6816/12]

Minister for Social Protection (Deputy Joan Burton): An Inspector will contact the person concerned regarding her application for one-parent family payment within the next week.

Social Welfare Appeals

283. **Deputy James Bannon** asked the Minister for Social Protection the reason a person (details supplied) in County Longford has been refused domiciliary care allowance; and if she will make a statement on the matter. [6822/12]

Minister for Social Protection (Deputy Joan Burton): Applications for domiciliary care allowance in respect of these children were received on 6 September 2011. These applications were referred to one of the Department's Medical Assessors who found that the children were not medically eligible for the allowance. Letters issued on 8 November 2011 advising the person concerned of the decisions.

In the case of an application which is refused on medical grounds, the applicant may submit additional information and/or ask for the case to be reviewed or they may appeal the decision directly to the Social Welfare Appeals Office within twenty one days. Appeals have been registered in this case and the Social Welfare Appeals Office will be in contact with the person concerned in due course regarding her appeals.

284. **Deputy James Bannon** asked the Minister for Social Protection the reason a person (details supplied) in County Longford has been refused jobseeker's benefit in 2010 on appeal as they were not working under contract of employment at the time; and if she will make a statement on the matter. [6825/12]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that an Appeals Officer, having fully considered all the evidence, disallowed the appeal of the person concerned by way of summary decision.

Under Social Welfare legislation, the decision of the Appeals Officer is final and conclusive and may only be reviewed by the Appeals Officer in the light of new evidence or new facts. Following the submission of additional evidence the Appeals Officer has agreed to review the case. The person concerned will be contacted when the review of her appeal has been finalised. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

285. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Social Protection if she will investigate the position of persons (details supplied) in County Monaghan who have been refused rent supplement payment; if she will review this decision; and if she will make a statement on the matter. [6842/12]

Minister for Social Protection (Deputy Joan Burton): The persons concerned were refused rent supplement payment because they were forced to leave previous accommodation due to non-payment of rent. They were afforded the right to appeal this decision.

Social Welfare Benefits

286. **Deputy Tom Fleming** asked the Minister for Social Protection if she will clearly clarify the cuts to one-parent family payments announced in the December budget; and if she will make a statement on the matter. [6849/12]

Minister for Social Protection (Deputy Joan Burton): There were a number of measures regarding One Parent Family Payment announced in Budget 2012. The following is a brief description of each of those measures:

1. Up to 2010, One-Parent Family Payment could be claimed in cases where the youngest child was up to 18 years of age (22 years of age if in full-time education). The maximum age was reduced to 14 in 2010. As a result of Budget 2012, the maximum age will be reduced from 14 to 7 progressively over the period 2012 to 2014 inclusive — to age 12 in 2012, age 10 in 2013 and age 7 in 2014.

2. It was also announced in Budget 2012 that the amount of earnings disregarded for the purposes of the One Parent Family Payment means test will be reduced from €146.50 to €130.00 per week in 2012 for new and existing recipients. Further reductions will be introduced over the following four years.

3. From January 2012, payment of a six month transitional payment of half of the rate of One Parent Family Payment where the recipient's earnings exceed €425 per week will be discontinued. Existing recipients of the temporary payment were not affected.

4. Finally, Budget 2012 also provided that participants on Community Employment (CE) schemes would no longer be simultaneously entitled to both One Parent Family Payment and a CE payment. That measure affects new entrants to CE from January 2012.

Social Welfare Appeals

287. **Deputy Tom Fleming** asked the Minister for Social Protection when a decision will issue on a disability allowance claim in respect of a person (details supplied) in County Kerry; and if she will make a statement on the matter. [6856/12]

Minister for Social Protection (Deputy Joan Burton): The claim for disability allowance, by the person concerned, was disallowed by a Deciding Officer following an assessment by a Medical Assessor of the Department who expressed the opinion that he was medically unsuitable for the allowance. I am advised by the Social Welfare Appeals Office that an appeal has been opened and in accordance with statutory requirements the Department was asked for the documentation in the case and the Deciding Officer's comments on the grounds of the appeal. In that context, a medical examination by another Medical Assessor has been arranged for 09th February 2012. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Employment Support Services

288. **Deputy John Lyons** asked the Minister for Social Protection if, in considering measures

to tackle youth unemployment, she has examined the possibility of providing a youth contract or youth guarantee so that those under 25 years of age and out of work or education would be guaranteed a work placement, training or an internship within a set period; if she will outline the funding or measures that would be necessary to provide this commitment; and if she will make a statement on the matter. [6882/12]

Minister for Social Protection (Deputy Joan Burton): The Department of Social Protection, through the wide range of schemes and interventions it provides, impacts on the lives of almost every person in the State at some stage. A number of these measures already support those under 25 years of age.

In this regard the back to education allowance (BTEA) scheme is a second chance education opportunities scheme designed to remove the barriers to participation in second and third level education by enabling eligible people on social welfare to continue to receive a payment while pursuing an approved full-time education course that leads to a higher qualification than that already held.

A BTEA applicant must be in receipt of a relevant social welfare payment and be at least 21 years of age (24 years postgraduate courses) prior to commencing an approved course of study. However, lone parents and persons in receipt of jobseekers payments can qualify at 18 years of age provided they are out of formal education for at least 2 years.

Changes made to rate of payment of jobseekers allowance to young people since 2009 were undertaken in order to incentivise under 25 year old jobseekers to avail of education and training opportunities and try to avoid them becoming welfare-dependent from a young age. The full adult rate of the relevant payment will be paid to under 25 year olds who participate in full time approved education or training programmes. This measure provides this group with a strong financial incentive to engage in education or training or to take up employment.

In addition JobBridge, the National Internship Scheme, assists individuals to bridge the gap between unemployment and the world of work. It provides those seeking employment with an opportunity to undertake a 6 or 9 month internship in a host organisation. Participation on the scheme assists in breaking that cycle whereby unemployed people are unable to get a job without experience. On completing their internship, participants will have improved their prospects of securing employment. The scheme is scheduled to run for two years with a maximum of 5,000 places at any time. Interns receive an allowance of €50 per week on top of their social welfare entitlement payable for the period of the internship.

It is intended that both the BTEA and the internship programme will be reviewed to assess their effectiveness and the outcome of those reviews will be used to determine whether policy changes are required to meet labour market activation objectives.

Social Welfare Benefits

289. **Deputy Michael Creed** asked the Minister for Social Protection if he has received a request for a review of a domiciliary care application in respect of a person (details supplied) in County Cork; and if she will make a statement on the matter. [6903/12]

Minister for Social Protection (Deputy Joan Burton): The person concerned requested a medical review of this decision on 26th January 2012 and submitted additional supporting information. The application has been forwarded to one of the Department's Medical Assessors for review of the original medical opinion. Upon receipt of the review report, a decision will issue to the customer.

Redundancy Payments

290. **Deputy Brendan Smith** asked the Minister for Social Protection if she will give consideration to the issues raised by an employer (details supplied) in respect of the additional burden on business due to a reduction in the employer's rebate on redundancies; and if she will make a statement on the matter. [6904/12]

Minister for Social Protection (Deputy Joan Burton): The primary purpose of the redundancy payments scheme is to compensate workers, under the Redundancy Payments Acts, 1967 to 2011, for the loss of their jobs by reason of redundancy. Compensation is based on the worker's length of reckonable service and reckonable weekly remuneration, subject to a ceiling of €600 per week.

It is the responsibility of the employers to pay statutory redundancy to all their eligible employees. An employer who pays statutory redundancy payments to the employees is then entitled to a rebate from the State. Rebates to employers and lump sums paid directly to employees are paid from the Social Insurance Fund (SIF).

Significant and increasing amounts have been paid out in redundancy rebates to employers from the SIF in recent years. While the SIF is constituted primarily from employer contributions, the taxpayers' contribution is also significant. One of the factors which influenced the Government's decision to revise the rebate rate was the increasing costs of rebates in recent years.

The deficit in the Social Insurance Fund is a matter of concern. Prior to the implementation of the revised rebate, the Social Insurance Fund refunded employers 60 per cent of the cost of making people redundant. €152.2 million was paid out in rebates to employers in 2006; €167.4 million was paid in 2007; €161.8 million was paid in 2008; €247.9 million in 2009; €373.2 million in 2010 and €188.2 million in 2011. The amounts paid out in lump sums to employees have also increased.

As part of the deliberations on Budget 2012 it was decided that the 60% level of rebate is not sustainable in the current economic climate. While I acknowledge that this may cause difficulties for employers it should be noted that redundancy rebate payments to employers are not common in many EU and other jurisdictions.

Commemorative Events

291. **Deputy Seán Kyne** asked the Minister for Arts, Heritage and the Gaeltacht if he would report on the progress of the committee tasked with planning centenary celebrations for a range of historically significant events, including the Easter 1916 Rising. [6907/12]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): I am satisfied that the Centenary commemoration of the Easter Rising in 2016 requires a comprehensive programme that will also present the economic, social and cultural history of the period. The development of the commemorative programme is therefore orientated towards the entire Decade of Centenaries 2012 to 2022 with official consideration currently being focussed on the period 2012 to 2016.

The Government envisage a framework that will feature, not only the official commemorative programme, but also the initiatives of local authorities, national cultural and sporting organisations, heritage groups and community organisations. A special effort will be made to ensure that all events are organised on an inclusive basis with respectful regard for the different traditions in Ireland. As we explore our shared heritage, we will also be mindful of the interest and affinity of the Irish abroad in the commemorative programme.

With a view to the enhanced engagement required of all partners, I have made arrangements to strengthen the Oireachtas Consultation Group on commemorations. In future discussions with the group, I will be accompanied by Minister of State, Dinny McGinley and other representatives of government parties. I have also invited Senator Martin McAleese to join the group. The next meeting of this group will be on 8 February 2012.

All Government Departments, State Agencies and services of government are now being consulted in relation to their intended contribution to the official commemorative programme. There has been considerable progress recently on several elements of the commemorative programme and specific announcements can be expected shortly. I would like to emphasise my personal welcome for all suggestions and contributions to the development of the commemorative programme. If the Deputy has particular interests or concerns, I would be grateful to hear from him.

Turbary Rights

292. **Deputy John O'Mahony** asked the Minister for Arts, Heritage and the Gaeltacht when a person (details supplied) in County Mayo will receive their agreed payment for the sale of turbary rights; and if he will make a statement on the matter. [6341/12]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): The individual referred to in the question applied to sell his interest in land under the Voluntary Bog Purchase Scheme, administered by my Department. The relevant land has been inspected and found to be partially within a site designated as a Special Area of Conservation. A letter of offer has issued to the applicant and when the contracts are received, they will be forwarded to the Chief State Solicitor's Office to progress the sale.

Commemorative Events

293. **Deputy Gerry Adams** asked the Minister for Arts, Heritage and the Gaeltacht if he has any plans to develop a permanent exhibition to the famine in the National History Museum of Ireland in Dublin; and if he will make a statement on the matter. [6391/12]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): The Deputy will be aware that, as Chair of the National Famine Commemoration Committee, I am responsible for ensuring on behalf of the Government that appropriate arrangements are in place to commemorate the Great Irish Famine with an annual memorial day. It has been agreed that this year's National Famine Commemoration will take place on Sunday, 13th May in Drogheda, County Louth. Full details of the work of the National Famine Commemoration Committee since 2008 in implementing a varied and diverse annual programme of events to coincide with the National Famine Commemoration are available on the National Famine Commemoration page of my Department's website at <http://www.ahg.gov.ie/en/NationalFamineCommemoration2012/>.

In relation to the reference to plans to develop a permanent exhibition dedicated to the Great Famine in the National Museum of Ireland, the Deputy should be aware that this is an operational matter for the Museum itself. However, the Deputy should note that the National Famine Commemoration Committee, of which the Director of the National Museum is a member, has previously considered the possibilities around exhibiting a collection dedicated to the Irish famine in the Museum. It has been given to understand that much of the evidence relating to the Great Famine is statistical and pictorial, and there are very limited artefacts that could be exhibited at the National Museum. In this regard, I am advised that there is insufficient material to support an exhibition of the type referred to by the Deputy.

Forbairt Labhairt na Gaeilge

294. D'fhiafraigh **Éamon Ó Cuív** den Aire Ealaíon, Oidhreacht agus Gaeltachta cén costas ina iomláine — briste síos de réir bliana agus costas ama foirne, agus duaiseanna, dearadh ábhair, taisteal, caidreamh poiblí seachtrach, grianghrafadóir, fáiltiú, srl. san áireamh — a caitheadh ar an gcomórtas GLEO de chuid Fhoras na Gaeilge ó cuireadh ar bun é; cé mhéad scoil agus dalta a ghlac páirt ann de réir gach bliana; agus an ndéanfaidh sé ráiteas ina thaobh. [6509/12]

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley): Bhunaigh Foras na Gaeilge an scéim GLEO (Gaeilge Labhartha san Earnáil Oideachais) don scoilbhliain 2006/2007 chun aitheantas a thabhairt do shár-chleachtas i leith chur chun cinn na Gaeilge labhartha i mbunscoileanna agus in iarbhunscoileanna ar oileán na hÉireann ina mhúintear trí mheán an Bhéarla. Leasaíodh an scéim ina dhiaidh sin chun aitheantas a thabhairt do scoileanna, seachas do mhúinteoirí. Ós rud é go dtugtar aitheantas faoin scéim do scoileanna, ní áirítear líon na ndaltaí sna scoileanna sin faoin scéim.

Tá príomhshonraí na scéime maidir le hollchostais agus rannpháirtithe tugtha sa dá thábla thíos. Ní mór dom a mhíniú don Teachta go dtógfadh sé an iomarca ama agus ionchur foirne chun an t-eolas ar fad atá iarrtha a chur le chéile. Táthar den tuairim nach mbeadh an obair sin ar chóimhéid leis na hacmhainní atá ar fáil. Tuigtear dom ó Fhoras na Gaeilge go ndearnadh athbhreithniú ar an scéim GLEO anuraidh agus, mar thoradh air sin, go mbeidh athruithe áirithe á ndéanamh ar an scéim sula bhfógrófar arís í.

Tábla 1: Costais de réir bliana

GLEO	2006	2007	2008	2009	2010	2011
Costais tionscadail	€16,186.11	€75,678.80	€69,055.78	€106,232.38	€60,125.01	€56,644.89
Áiseanna	—	€50,826.05	—	€34,566.75	€14,977.38	—
Ollchaitheachas	€16,186.11	€126,504.85	€69,055.78	€140,799.13	€75,102.39	€56,644.89

Tábla 2: Líon na scoileanna agus na mbuaiteoirí

Scoilbhliain	2007/2008	2008/2009	2009/2010	2010/2011
Líon scoileanna	49	44	40	54
Líon buaiteoirí	21	16	12	17

Turbary Rights

295. **Deputy Robert Troy** asked the Minister for Arts, Heritage and the Gaeltacht when he will issue payment to a person (details supplied) in County Longford for their turf cutting rights at Ardaghullion bog, Mostrim, County Longford, which was designated as a special area of consevation, SAC, in 2002; and if he will make a statement on the matter. [6755/12]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): The individual referred to in the Deputy's Question has applied to sell his interest in land under the Voluntary Bog Purchase Scheme administered by my Department. Processing of applications on hand under this scheme has been slower than anticipated, due to capacity constraints in undertaking the work involved.

In 2011, the Government announced a compensation scheme for those affected by the cessation of turf cutting on raised bog special areas of conservation. This Cessation of Turf Cutting Compensation Scheme consists of a payment of €1,000 per year, index linked, over 15 years or, where feasible, relocation of turf cutters to non-designated bogs where they can continue to cut turf. Those wishing to relocate can avail of the financial payment or the delivery of cut turf while relocation sites are identified and prepared. The cost of acquiring and preparing relocation sites will be met by the State.

Where applicants under the Voluntary Bog Purchase Scheme have not received a letter of offer, or have received a letter of offer but contracts have not been signed, my Department will be writing to them to outline their options under the Cessation of Turf Cutting Compensation Scheme.

Prospecting Licences

296. **Deputy Finian McGrath** asked the Minister for Communications, Energy and Natural Resources when exploration licences for hydraulic fracturing were granted; to whom they were granted; the locations for which they were granted; and if he will make a statement on the matter. [6222/12]

Minister of State at the Department of Communications, Energy and Natural Resources (Deputy Fergus O'Dowd): I can inform the Deputy that my Department has not received applications for, nor licensed the use of hydraulic fracturing in the Irish onshore at this time. In February of last year my Department granted onshore Licensing Options to Tamboran Resources Ltd over parts of Cavan, Leitrim and Sligo, the Lough Allen Natural Gas Company Ltd over parts of Cavan, Leitrim, Roscommon and Sligo and to Enegi Oil Plc over parts of County Clare. The licensing options are for a two-year period from 1st March 2011. Exploration drilling, including drilling that involves hydraulic fracking is not permitted under these licensing options.

Before the companies concerned could apply for an exploration licence and proceed to an exploration drilling phase, they must first complete the licensing option work programme agreed with my Department. These work programmes are primarily based on desktop studies of existing data and should be completed by February 2013. When they have completed their work programmes each company will then have to decide if it wishes to move to the next stage and apply for an exploration licence.

Any application for an exploration licence that proposed using hydraulic fracturing would be subject to an Environmental Impact Assessment (EIA). That assessment would include a Public Consultation Phase, of four weeks or more, which would be advertised on my Department's website and in the local press. This would provide an opportunity for the public to input into the decision making process. My Department would also seek and be guided by the expert advice of other relevant statutory authorities such as the Environmental Protection Agency (EPA), the National Parks and Wildlife Service (NPWS) and the Local Authorities. The outcome of the EIA would help determine whether or not an Exploration Licence would be granted.

Health and Safety Regulations

297. **Deputy Finian McGrath** asked the Minister for Communications, Energy and Natural Resources his views on a matter (details supplied) regarding the Commission for Energy Regulation regarding the recently published document titled, Petroleum Safety Implementation Project Overview: C.E.R./11/138 — 2 August 2011. [6415/12]

Minister of State at the Department of Communications, Energy and Natural Resources (Deputy Fergus O'Dowd): The Petroleum (Exploration and Extraction) Safety Act, 2010 makes provision for the safety of petroleum exploration and extraction (upstream) activities and associated infrastructure to be regulated by the Commission for Energy Regulation (CER). It provides that the regulation of upstream safety will be achieved through the establishment and implementation of a new risk assessment based Petroleum Safety Framework in line with best industry practice.

I understand that as part of its initial planning and scoping for the establishment of the new Safety Framework, the reports referenced by the Deputy were produced. These reports, i.e. Report on the Existing Legislative and Regulatory Framework for Petroleum Exploration and Extraction in Ireland; and Review and Comparison of International Petroleum Safety Regulatory Regimes were undertaken by consultants GL Noble Denton on behalf of the CER.

While the specifics on how unconventional gas exploration and extraction were not explicitly addressed in the above documents, neither were the specifics with regard to any other petroleum activity to be regulated by the CER. It was never the intention, I understand, to cover the detail on how specific petroleum exploration and extraction activities are regulated in Ireland or the comparator countries in these reports. The reports simply set out the broad legislative and regulatory approach to the regulation of petroleum activities, thereby providing the background information to enable the CER to begin its work on the consulting on the Petroleum Safety Framework itself.

The CER published its consultation paper on the High Level Design of the Petroleum Safety Framework in August 2011, and hopes I understand, to publish its draft decision in this regard shortly.

As exploration drilling and extraction are likely to be designated by CER as petroleum activities, unconventional gas exploration and extraction would fall to be regulated under the Petroleum Safety Framework by the CER from a safety perspective.

Departmental Funding

298. **Deputy Éamon Ó Cuív** asked the Minister for Communications, Energy and Natural Resources if funding has been made available to Inland Fisheries Ireland to retain contract staff in 2012 to continue with the work of controlling the African Pond Weed otherwise known as Lagarosiphon due to the damage being done to Lough Corrib by this weed; and if he will make a statement on the matter. [6267/12]

Minister of State at the Department of Communications, Energy and Natural Resources (Deputy Fergus O'Dowd): Inland Fisheries Ireland has sought funding from a number of agencies for the continuation of the control of the invasive pondweed in Lough Corrib as in previous years.

To date, funding commitments have been received from the Office of Public Works, Galway County Council, Inland Fisheries Ireland itself (IFI) and the Caisie — (Control of Aquatic Invasive Species in Ireland) EU project.

Should all agencies continuing to support the programme to the same level as in 2011 it is proposed to continue it in 2012. In this regard, a response is awaited from Galway City Council to progress matters and an application for assistance has also been made to the Heritage Council and a decision on this will be made in the coming weeks.

Broadcasting Services

299. **Deputy Brendan Griffin** asked the Minister for Communications, Energy and Natural

Resources if he will request that RTÉ address issues raised by a person (details supplied) in County Kerry; and if he will make a statement on the matter. [6357/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): RTÉ is responsible for the rollout and operation of the Saorview TV network. Part 8 of the Broadcasting Act 2009, sets out RTÉ's powers and responsibilities in this regard.

The RTÉ decision to provide a satellite service is being made by RTÉ on a commercial basis. RTÉ has indicated that this service in conjunction with the DTT network will provide coverage to virtually 100% of the population.

In regard to coverage in the Dingle area, I have asked my officials to contact RTÉ and RTÉNL who will revert to you directly on this matter.

Electricity Generation

300. **Deputy Patrick O'Donovan** asked the Minister for Communications, Energy and Natural Resources if he anticipates delays in payments under the REFIT scheme this year; when he anticipates that these payments will be made; and if he will make a statement on the matter. [6455/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The REFIT scheme is funded through the Public Service Obligation (PSO) levy which is charged to all electricity consumers and the mechanism is well established. The PSO levy is calculated and certified by the Commission for Energy Regulation (CER). REFIT payments under the first REFIT scheme to those included by the CER in their 2011/2012 PSO levy decision are currently being paid on a monthly basis, and there is no delay.

Five months ahead of the start of the PSO year (which commences 1 October), electricity suppliers are obliged to advise CER of those generators with whom they have entered into REFIT Power Purchase Agreements that will be exporting electricity to the grid during the following period and on behalf of whose exported metered generation the suppliers are eligible to receive REFIT payments from the PSO levy fund. Those projects are then included in the PSO decision by CER and only those projects included in the decision are eligible for payments.

The calendar year 2012 as is the norm with the PSO mechanism straddles two PSO years. The 2011/2012 PSO year runs to 30 September 2012 and the 2012/2013 PSO year will commence on 1 October 2012. Those projects that were included in the 2011/2012 levy fund calculation by CER are currently being paid and will continue to receive payments up to 30 September. Those eligible for payment in the 2012/2013 PSO year which commences 1 October will be determined on the basis of information provided by suppliers to CER 5 months ahead of the commencement of the next PSO levy year.

My Department is currently also working to finalise the terms and conditions for the new REFIT Scheme recently cleared by the EU Commission, with a view to its launch shortly.

Inland Fisheries

301. **Deputy Brendan Griffin** asked the Minister for Communications, Energy and Natural Resources the reasons for the relative brevity of the 2011 fishing season in respect of two lakes (details supplied) in County Kerry; if the 2012 season will be extended; and if he will make a statement on the matter. [6820/12]

Minister of State at the Department of Communications, Energy and Natural Resources (Deputy Fergus O'Dowd): I can inform the Deputy that the opening and closing dates for lakes

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are fixed annually by Inland Fisheries Ireland (IFI) on the basis of assessment of demand from anglers and resources to manage those lakes responsibly.

IFI seeks to ensure that the resource and opportunities are available to recreational and tourist anglers at peak times at a reasonable number of lakes.

Over the years the demand in the early part of the season varies and is generally lower and hence resource management imperatives mean that all lakes do not open at the same time.

IFI, while recognising that there is some off peak demand for the lakes in question, must, in common with all public sector bodies, operate responsibly within overall budgetary constraints. As part of the balance between these constraints and assessed demand, it is necessary to manage the lakes within the resources available and in that context it is not currently in a position to open the lakes referred to by the Deputy any earlier than proposed.

IFI advise that Lough Fadda and Barfinnihy Lake are community managed trout lakes. They are run effectively as put and take fisheries (i.e. IFI stock the lakes prior to opening for fishing on a pay per use basis). In this regard they are no different from any other 'put and take' fishery in the country. They are managed on a commercial basis in that IFI endeavours to at least cover the cost for the stocking and management of these lakes from the permits fees derived from anglers.

Landowners Liability

302. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government if he will clarify a matter (details supplied) regarding landowners liability; and if he will make a statement on the matter. [6275/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The liability of a landowner in relation to a person engaging in a recreational activity on their land, if an accident were to occur, is governed by the provisions of the Occupiers Liability Act, 1995. This Act provides definitions of recreational activity and outlines the duty of care of a landowner or occupier to entrants onto their land, including recreational users.

The Occupiers Liability Act, 1995 was introduced to address the question of the exposure of landowners to claims arising from injuries to recreational users and others including trespassers. The Act defines categories of entrants onto land and specifies the duty of care owed by occupiers. An occupier is anyone in charge of a premises such as the owner or a tenant. Under the Act there are three categories of entrant: visitors, recreational users and trespassers. The duty of care owed by the occupier of land to recreational users and trespassers under section 4 of the Act is a duty not to cause injury intentionally and not to "act with reckless disregard" for their safety. A higher duty of care is owed to visitors. A landowner charging recreational users for entry (as opposed to a reasonable charge for parking) increases his/her duty of care to that owed to visitors. A report of by an Expert Group established to examine and make recommendations on The Legal Issues of Land Access for Recreational Use is available on my Department's website (<http://www.envron.ie/en/Publications/Community/RuralDevelopment/FileDownload,27109,en.doc>). This report provides additional information and clarification regarding the Occupiers Liability Act.

Planning Issues

303. **Deputy Tom Fleming** asked the Minister for the Environment, Community and Local Government if he will address the situation whereby planning applications for an extension of time are being refused following on from previous grant of full planning permission due to a

change in environmental guidelines; if he will amend the 2010 Planning Act to resolve this issue; and if he will make a statement on the matter. [6217/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): Section 28 of the Planning and Development (Amendment) Act 2010 amended Section 42 of the Planning and Development Act 2000 to provide that the duration of a planning permission may be extended where substantial works have not been done, or where the development has not even commenced, in cases where the planning authority is satisfied that there were considerations of a commercial, economic or technical nature beyond the control of the applicant which substantially militated against either the commencement of development or the carrying out of substantial works, pursuant to the planning permission (again provided that an application complying with the relevant Regulations was made before the expiration of the initial period). This latter provision is, however, subject to the following qualifications—

- that the planning authority is satisfied that there have been no significant changes in the development objectives in the development plan or in regional development objectives in the Regional Planning Guidelines for the area of the planning authority since the date of the permission such that the development would no longer be consistent with the proper planning and sustainable development of the area,
- that the planning authority is satisfied that the development would not be inconsistent with the proper planning and sustainable development of the area, having regard to any guidelines issued by the Minister under section 28, notwithstanding that they were so issued after the date of the grant of permission in relation to which an application is made under this section, and/or
- that the planning authority is satisfied where the development has not commenced, that an environmental impact assessment, or an appropriate assessment, or both of those assessments, if required, was or were carried out before the permission was granted.

This means that in cases where substantial works have not been carried out, and where the relevant development plan objectives or the objectives in the relevant regional planning guidelines have changed since the permission was granted to the extent that the development in question would no longer be consistent with the proper planning and sustainable development of the area, the duration of the permission will not be extended.

It should be noted that the previous provision remains in the Planning and Development Act 2000, whereby an extension of permission is automatically given on application, in a case where substantial works have been carried out within the original duration (subject only to the condition that an application complying with the relevant Regulations was made before the expiration of the initial period).

I consider that the amendment made in 2010 strikes an appropriate balance and that in cases where substantial works have not been carried out, the duration of permission should not be extended in respect of developments for which the planning authority would now refuse permission in respect of current applications. I have no plans to further amend the Act in this regard.

Rural Development

304. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government if he will outline the administration spend with regard to the rural develop-

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ment programme in tabular form and a breakdown by company country wide; and if he will make a statement on the matter. [6255/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan):

The following table outlines administration expenditure for the period 2009 to end December 2011 for each Local Development Company contracted to deliver Axes 3 and 4 Rural Development Programme (RDP). Meitheal Forbartha na Gaeltachta (MFG) went into liquidation on 7 September 2011.

LAG	Admin Spend to date
Avondhu/ Blackwater Partnership Limited	€627,452.92
Ballyhoura Development Limited	€1,045,753.10
Carlow County Development Partnership Limited	€824,872.60
Cavan Part and County Monaghan Area Part	€964,624.50
Clare Local Development Company Limited	910,842.91
Comhar na nOileáin Teoranta	€430,507.67
Donegal Local Development Company Limited	€914,948.59
Fingal LEADER Partnership	€549,750.46
FORUM Connemara	€698,531.77
Galway Rural Development Company Limited	€971,795.38
Inishowen Development Partnership	€625,581.28
I.R.D. Duhallow	€721,022.77
Kildare (Cill Dara ar Aghaidh Teoranta)	€868,870.54
County Kilkenny LEADER Partnership Limited	€833,182.31
Laois Community and Enterprise Development	€879,759.20
Leitrim Integrated Development Company	€863,729.22
Longford Community Resources Limited	€529,574.09
Louth LEADER Partnership	€812,265.71
Mayo North East LEADER Partnership	€820,226.54
Meath Partnership	€1,105,071.84
Meitheal Forbartha na Gaeltachta Teoranta	€1,314,883.67
North and East Kerry LEADER Partnership Teoranta	€849,954.60
North Tipperary LEADER Partnership Company	€744,731.38
Offaly Integrated Local Development Company	€693,821.89
Roscommon Integrated Development Company	€832,371.17
County Sligo LEADER Partnership Company	€659,871.45
South East Cork Area Development Limited	€675,991.95
South Kerry Development Partnership Limited	€1,128,984.93
South Tipperary Local Development Company Limited	€848,247.34
South West Mayo Development Company Limited	€766,966.56
Waterford LEADER Partnership Limited	€846,348.29
West Cork Development Partnership	€1,047,709.16
West Limerick Resources	€822,146.32
Westmeath Community Development	€607,057.85
Wexford Local Development	€850,704.22
County Wicklow Partnership	€787,274.14
Total	€29,475,428

Local Authority Charges

305. **Deputy Finian McGrath** asked the Minister for the Environment, Community and Local Government if a person (details supplied) in County Dublin is entitled to a waiver of the household charge. [6258/12]

312. **Deputy Sandra McLellan** asked the Minister for the Environment, Community and Local Government if persons (details supplied) in County Cork must pay the household charge; and if he will make a statement on the matter. [6342/12]

322. **Deputy Gerald Nash** asked the Minister for the Environment, Community and Local Government if he will make provision for the payment of the household charge on an instalment basis at An Post local offices and other appropriate outlets in the interests of facilitating the widest possible number of home owners to pay the charge; and if he will make a statement on the matter. [6478/12]

349. **Deputy Michael Moynihan** asked the Minister for the Environment, Community and Local Government if a house is a protected structure, is the owner liable for the household charge; and if he will make a statement on the matter. [6887/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 305, 312, 322 and 349 together.

The Local Government (Household Charge) Act 2011 and the Local Government (Household Charge) Regulations 2012 provide the legislative basis for the household charge. The Act provides for a number of exemptions and waivers from payment of the household charge. The exemptions from payment of the household charge are—

- Residential properties that are part of the trading stock of a business and have not been sold or been the source of any income since construction,
- Residential property owned by a Minister of the Government, a housing authority or the Health Service Executive,
- Voluntary and co-operative housing,
- Residential property subject to commercial rates and wholly used as a dwelling,
- Residential property owned by certain charities or discretionary trusts, and
- Residential property which an owner has vacated due to long-term mental or physical infirmity (e.g. elderly person that has moved into a nursing home).

The waivers which apply concern—

- Owners of residential property entitled to mortgage interest supplement, and
- Owners of houses in certain unfinished housing estates.

There is a range of options available for persons to pay the household charge. An online system www.householdcharge.ie is in place in the Local Government Management Agency (LGMA) to enable homeowners to pay the household charge by credit/debit card or in four instalments by direct debit. In addition, homeowners can make payment by cheque, postal order, credit/debit card or in four instalments of €25 by direct debit by completing the relevant payment details on the declaration form and posting it to Household Charge, PO Box 12168,

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Dublin 1. Instalment payments are available by direct debit only and persons opting to pay in this way must register their details by 1 March, 2012.

A bureau is in place in the LGMA to administer the charge on a shared service/agency basis for all local authorities. In addition, all county/city councils have been requested to have arrangements in place for persons to attend their principal offices to pay the household charge up to 31 March, 2012. I am satisfied that there is a comprehensive suite of payment options available to persons with a liability to pay the household charge.

Water Services

306. **Deputy Terence Flanagan** asked the Minister for the Environment, Community and Local Government his views on a matter (details supplied) regarding water meters; and if he will make a statement on the matter. [6260/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The *Programme for Government* provides for the introduction of a fair funding model to deliver clean and reliable water. The Memorandum of Understanding with the EU, the IMF and the ECB also contains commitments for the reform of water services delivery and operation and the introduction of domestic water charges.

To meet these commitments, the Government intends initiating a universal water metering programme in advance of the introduction of domestic water charges. This will facilitate moving to a charging system for domestic water users that is based on use above a free allowance as provided for in the *Programme for Government*. A procurement strategy for the metering programme is currently being prepared and this will include detailed specifications for meters and related equipment. The metering programme will be the subject of a competitive procurement process in accordance with EU and national procurement rules.

Local Authority Housing

307. **Deputy Catherine Murphy** asked the Minister for the Environment, Community and Local Government if he is considering altering the rules around the claw back for those who purchased houses in recent years under the terms of some social housing schemes; if so, the timeframe he has in mind; and if he will make a statement on the matter. [6274/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): I assume the question refers to clawback provisions which apply as conditions of the sale of houses to first time buyers under the various affordable housing schemes at a significant discount from market value in order to prevent short-term profit taking on the resale of the house to the detriment of the objectives of the schemes.

Where a person is selling and the claw-back amount payable would reduce the proceeds of resale below the initial price actually paid, the legislation provides for the amount of the claw-back payable to be reduced to the extent necessary to avoid that outcome. As announced in the Government's Housing Policy Statement published on 16 June 2011, all affordable housing schemes, including shared ownership, have been stood down in the context of a full review of Part V of the Planning and Development Act 2000. A request for tenders in respect of the review was published last week, and the review will commence as soon as possible.

Mortgage to Rent Scheme

308. **Deputy Pearse Doherty** asked the Minister for the Environment, Community and Local Government with respect to the pilot mortgage to rent scheme currently under way with an organisation (details supplied), if he will confirm the number of units involved in this scheme;

the participating bank in the scheme; the details of the funding arrangements between him and the organisation; the total cost to the Exchequer arising from this pilot; if the funding for this pilot and its future expansion will come from the existing capital allocation for social housing as outlined in budget 2012 or from additional resources to be made available specifically to address the mortgage crisis; if he has an estimate of the expenditure on this scheme if and when it is rolled out beyond the initial pilot; the terms agreed between the bank and original mortgage holder on that portion of the original mortgage not covered by the purchase agreement between the bank and the organisation; and if he will make a statement on the matter. [6282/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): As part of the implementation of the recommendations in the Keane Report my Department is developing a mortgage to rent scheme on a pilot basis. This work has been assisted by Clúid Housing Association, a number of local authorities, the Housing and Sustainable Communities Agency, AIB, and more recently, New Beginning and another lender. The Keane reported recommended 2 such schemes or models on which a mortgage to rent option might operate. The same categories of household would be targeted under each scheme. These are households that:

- have had their mortgage position deemed unsustainable under a Mortgage Arrears Resolution Process (as provided for under the Central Bank’s Code of Conduct on Mortgage Arrears);
- agree to the voluntary repossession of their home;
- do not have significant positive equity; and
- are eligible for social housing.

In addition, the house must also be appropriate to household need. In other words, the household are not significantly over-accommodated (e.g. a couple residing in a home that is too large for their needs) or under-accommodated/overcrowded. Households availing of the scheme will become social housing tenants, paying a differential rent calculated on the basis of household income. The treatment of any mortgage shortfall or residual debt will be a matter for bilateral resolution between the borrower and lender. The essential difference between the 2 options relates to ownership of the property after the voluntary repossession has taken place.

Under the first model, after voluntary repossession has taken place the property would be purchased by an approved housing body at current market value. The household would become a social housing tenant — they would no longer be homeowners. The purchase of the property would be part loan financed, using loan finance generally obtained from the initial mortgage provider, and the Exchequer using funds available under the 2012 allocation for the Capital Advance Leasing Facility. My Department is also consulting with the Central Bank to ensure that the process through which households might be offered the option to participate in the scheme complies fully with all existing consumer protection and other regulatory requirements.

Under the second model, the lender would become the long term owner of the property after voluntary repossession had taken place. The household would become a social housing tenant of the relevant local authority and the local authority would, in turn, lease the property from the financial institution for the period of the lease. The household would enjoy the same benefits as any household already accommodated under the social housing leasing initiative in terms of security of tenure, differential rents, eligibility, etc.

It is anticipated that the first transactions under the first model will take place very soon. Ultimately, the schemes will be rolled out nationally using the criteria set out above and it is

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hoped that all lenders will agree to participate. I have not set definitive limits on the numbers of cases that will be addressed in the pilot phase.

Local Authority Charges

309. **Deputy Gerald Nash** asked the Minister for the Environment, Community and Local Government the safeguards in place to ensure that the criteria for inclusion in the list of category three and four unfinished housing estates are being applied consistently across all counties; and if he will make a statement on the matter. [6292/12]

310. **Deputy Gerald Nash** asked the Minister for the Environment, Community and Local Government the appeals process available to residents, who feel that their estate has been wrongly overlooked for inclusion in the list of category three and four unfinished housing estates; and if he will make a statement on the matter. [6293/12]

323. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community and Local Government with the exception of estates (details supplied), the reason the rest of Clongriffin, Dublin 13, is not exempt from the household charge in view of the fact that no part of the estate is finished and there are many serious challenges facing residents in Clongriffin; and if he will make a statement on the matter. [6483/12]

351. **Deputy John McGuinness** asked the Minister for the Environment, Community and Local Government if he will outline the way those who live in unfinished housing estates and are not on the published list of unfinished estates and therefore are not exempted from the household charge can appeal the decision; and if he will make a statement on the matter. [6891/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): I propose to take Questions Nos. 309, 310, 323 and 351 together.

As part of the process of preparing the National Housing Development Survey 2011, published by my Department in October 2011, local authorities provided details of all unfinished housing developments in their areas. Unfinished housing developments were divided into four categories as follows:

- Category one, where the development is still being actively completed by the developer, or where no serious public safety issues exist;
- Category two, where a receiver has been appointed;
- Category three, where a receiver has not been appointed and the developer is still in place but effectively inactive; and
- Category four, where the development has been effectively abandoned and is posing serious problems for residents.

Other relevant factors for the purposes of the categorization process include, inter alia:

- the state of completion of roads, footpaths, public lighting facilities, piped water and sewerage facilities and open spaces or similar amenities within the development;
- the extent to which the development complies with the terms of applicable planning permission;

- the extent to which it complies with the provisions of the Building Control Acts 1990 and 2007;
- the provisions of the Local Government (Sanitary Services) Act 1964 as they pertain to dangerous places and dangerous structures within the meaning of the Act;
- the extent to which facilities within the development have been taken in charge by the local authority concerned; and
- where there is an agreement regarding the maintenance of such facilities, the extent to which this agreement has been complied with.

In some cases a local authority may have found that conditions in respect of a certain phase of a development were relatively good and that, for example, no serious public safety issues could be identified. This phase of the development may have been categorised under category 1 or 2. Conversely, safety issues may have been identified in another phase of the same overall development, or development in that second phase may have been abandoned altogether, implying a category 3 or 4 identification for that phase. This categorisation formed the basis for the list of those unfinished developments eligible for a waiver on the annual household charge.

Only households in developments in categories three and four are eligible for the waiver from payment of the household charge. This list of developments in which households are eligible for the waiver in 2012 is set out under the Local Government (Household Charge) Regulations 2012 and forms the complete list of such developments for this year. The Local Government (Household Charge) Act 2011 does not provide for an appeals facility in this regard. A revised list of estates will be prescribed for 2013 after which time the waiver for unfinished housing developments will end. Throughout this period it is anticipated that the numbers of categories 3 and 4 developments will decrease as my Department continues to work with local authorities and other stakeholders to resolve outstanding issues, including through the Public Safety Initiative.

Local Authority Housing

311. **Deputy John McGuinness** asked the Minister for the Environment, Community and Local Government if an application from Kilkenny County Council for funding to refurbish the Newpark Close, Kilkenny housing scheme will be expedited and approved; and if he will make a statement on the matter. [6337/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): Kilkenny County Council has submitted this project for inclusion in the Social Housing Investment Programme for the period 2012-2014. I hope to be in a position to make announcements in relation to budgets or allocations for the various housing supply programmes in early March.

Question No. 312 answered with Question No. 305.

Local Authority Charges

313. **Deputy Niall Collins** asked the Minister for the Environment, Community and Local Government the position regarding the non principal private residence charge on a property which is the only property owned by a person, and is unoccupied in view of the fact that this person is outside of the State on contract or additional training connected to their employment; and if he will make a statement on the matter. [6372/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Local Government (Charges) Act 2009, as amended, broadened the revenue base of local authorities by introducing a charge on non-principal private residences. The charge is set at €200 and liability for it falls, in the main, on owners of rental, holiday and vacant properties.

The 2009 Act is structured from a starting position of a universal liability for the charge in respect of all residential property. Liability arises each year on a point-in-time basis, which is 31 March in each year. A number of exemptions from the charge are provided for in the Act, the most significant being where a property is an owner's sole or main residence.

In a situation where a person owns a property in which he or she does not live and his or her sole or main residence is another property, there may be a liability for the non-principal private residence charge in respect of the property owned by the person, unless it is otherwise exempted under section 4 of the Act.

The Act places the charge under the care and management of the local authorities, and application in particular circumstances is a matter for the relevant local authority. Interpretation of the legislation is a matter for legal advice in individual cases and ultimately a matter for the Courts.

Departmental Bodies

314. **Deputy Niall Collins** asked the Minister for the Environment, Community and Local Government if he will issue a specific document (details supplied). [6388/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Local Government Audit Service is responsible for external audits of local authorities and gives an audit opinion on the annual financial statement as prepared by an authority. The auditor, who is independent in the exercise of professional functions, may also issue a separate report on any matter or matters arising from the statutory audit. Audited information in relation to the accounts of Fermoy Town Council is not yet available for 2010. The audit of the 2010 Annual Financial Statements (AFS) of all local authorities is scheduled for completion by 31 March 2012.

Waste Management

315. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community and Local Government if he is currently preparing new guidelines or a code of conduct for local authorities for waste collection and disposal especially in the context of the privatisation of services; if he will indicate the outline of the proposed regulations; and if he will make a statement on the matter. [6406/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The *Programme for Government* contains a commitment to introduce competitive tendering for household waste collection, under which service providers would bid to provide waste collection services in a given area, for a given period of time and to a guaranteed level of service.

A public consultation designed to inform the policy development process concluded in September 2011. A large number of responses were received from a broad spectrum of interests. As one might expect, a consensus is not apparent and, on almost all of the relevant issues, a considerable breadth of opinion was expressed. All of the responses received, in addition to a summary document, are available on my Department's website, www.environ.ie

I expect to be in a position to submit final proposals in relation to household waste collection to Government by Easter this year. All policy proposals will be carefully considered by Government and will take account of the full range of issues and perspectives. The respective waste

management roles of the public and private sectors have evolved considerably in recent years. Such developments will be among the issues for consideration in this context.

316. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community and Local Government if he has been briefed by Dublin City Council on the recent transfer of waste collection services from Dublin City Council; and if he will make a statement on the matter. [6407/12]

344. **Deputy Aengus Ó Snodaigh** asked the Minister for the Environment, Community and Local Government if he will confirm that the transfer of domestic waste collection by Dublin City Council to a company (details supplied) was in compliance with the EU tendering process; his views that there was no breach in data protection during the transfer; his further views on the transfer of the debt of DCC customers to the company; and if he will make a statement on the matter. [6805/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 316 and 344 together.

I am aware of Dublin City Council's transfer of household waste collection services to a private sector partner and the issues arising for customers. However, the operational and legal implications of the transfer of waste collection services are a matter for the City Council itself. Queries on the matter should therefore be addressed directly to the City Council.

Local Authority Charges

317. **Deputy Alex White** asked the Minister for the Environment, Community and Local Government in the absence of official notification whether by electronic or hard copy by either the local authority or the online infrastructure of the NPPR payment system that a charge is due, if he will ensure that all registered accounts receive notification of the charge falling in 2012, in order that persons who have not received notice either of the charge or late payment will not needlessly incur late payment fees; and if he will make a statement on the matter. [6411/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Local Government (Charges) Act 2009, as amended, broadened the revenue base of local authorities through the introduction of the charge on non-principal private residences. The charge is set at €200 and is being levied and collected by local authorities. The Act places the onus on the owner of a residential property to assess his or her liability to the charge in the first instance.

There is no legal obligation on local authorities to issue notifications, invoices or reminders. In practice, a number of measures are undertaken to assist collection of the charge. Nationwide advertising has taken place in each year since the introduction of the charge in 2009 to ensure general awareness of the charge and the liability dates. In addition, local authorities have undertaken their own advertising campaigns locally. As a shared resource, I understand that reminder notifications were issued by the Local Government Management Agency (LGMA) and local authorities to those who paid the charge last year in respect of their possible liability for 2011.

It is intended that similar advertising will take place in the context of liability for the NPPR in 2012, including reminder notifications from the Local Government Management Agency (LGMA) and local authorities to those who paid the charge last year in respect of their possible liability for 2012. Reasonable efforts have been and will continue to be made to ensure that property owners are aware of the charge and the liability dates. However, the charge is based

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on self assessment principles and it is a matter for persons with a liability to pay the charge by the due date to avoid late payment fees.

Social Welfare Code

318. **Deputy John Lyons** asked the Minister for the Environment, Community and Local Government if he will consider compiling a list of landlords who are willing to take part in the rental accommodation scheme in each council area; if he will consider starting a campaign to publicise RAS and encourage landlords to take part and join such a list; and if he will provide details of participation in the scheme in each local authority area to date. [6448/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): The Rental Accommodation Scheme (RAS) is a collaborative project between my Department, local authorities and the Department of Social Protection, including its community welfare service.

Under the scheme local authorities assume primary responsibility for meeting the accommodation needs of Rent Supplement (RS) recipients with a long-term housing need. The local authority administers the scheme in its entirety from the transfer of RS recipients, including the sourcing of suitable accommodation and the accommodation of eligible households together with the payment of rent to landlords. As part of their overall role in sourcing accommodation, local authorities engage in regular advertising of the scheme aimed at landlords. They also produce, along with my Department and the Housing Agency, detailed explanatory leaflets, including website information, on the scheme and the conditions/requirements on landlords who are entering or wish to enter the scheme.

Local authorities are best placed to administer RAS and I do not propose to compile a national list of landlords willing to take part in the scheme.

Since the Rental Accommodation Scheme commenced in late 2005 local authorities have transferred a total of 37,759 households from RS up to the end of December 2011. Of these 21,892 were housed directly under RAS and a further 15,867 were accommodated under other social housing options. The following table sets out a county by county breakdown of the number of transfers from RS:

Rental Accommodation Scheme cumulative figures — Nov 2005 to end Dec 2011.

Local Authorities (Housing)	No. of cases transferred to RAS (Private) to end December 2011	RAS Unsold Affordables (Leasing) to end December 2011	No. of cases transferred to RAS (Voluntary) to end December 2011	Total RS transfers to Voluntary, Unsold Afford. and Private to end December 2011	Total No. of RS cases socially housed to end December 2011	Total RS cases transferred to Private/Voluntary/ Unsold Affordables and socially housed to end December 2011
Carlow Co. Cl.	391	0	89	480	204	684
Cavan Co. Cl.	287	0	89	376	298	674
Clare Co. Cl.	374	0	98	472	235	707
Cork City Cl.	745	0	259	1,004	974	1,978
Cork County Cl.	821	0	449	1,270	1,225	2,495
Donegal Co. Cl.	322	0	277	599	1,437	2,036
Dublin City Cl.	1,688	62	693	2,443	703	3,146

Local Authorities (Housing)	No. of cases transferred to RAS (Private) to end December 2011	RAS Unsold Affordables (Leasing) to end December 2011	No. of cases transferred to RAS (Voluntary) to end December 2011	Total RS transfers to Voluntary, Unsold Afford. and Private to end December 2011	Total No. of RS cases socially housed to end December 2011	Total RS cases transferred to Private/Voluntary/ Unsold Affordables and socially housed to end December 2011
Dublin South Co. Cl.	1,347	1	91	1,439	1,118	2,557
Dun/Rathdown CC	512	0	116	628	548	1,176
Fingal Co. Cl.	719	96	138	953	847	1,800
Galway City Cl.	650	0	217	867	361	1,228
Galway Co. Cl.	370	0	170	540	274	814
Kerry Co. Cl.	726	0	78	804	624	1,428
Kildare Co. Cl.	421	0	125	546	582	1,128
Kilkenny Co. Cl.	344	0	337	681	345	1,026
Laois Co. Cl.	165	0	96	261	183	444
Leitrim Co. Cl.	109	0	26	135	100	235
Limerick City Cl.	615	0	102	717	164	881
Limerick Co. Cl.	257	0	245	502	256	758
Longford Co. Cl.	400	0	0	400	95	495
Louth Co. Cl.	242	0	79	321	858	1,179
Mayo Co. Cl.	598	0	394	992	334	1,326
Meath Co. Cl.	167	55	118	340	317	657
Monaghan Co. Cl.	176	0	135	311	184	495
Nth Tipperary Co. Cl.	427	0	52	479	236	715
Offaly Co. Cl.	215	40	47	302	242	544
Roscommon Co. Cl.	364	0	86	450	347	797
Sligo Co. Cl.	343	0	177	520	209	729
Sth Tipperary Co. Cl.	572	0	96	668	428	1,096
Waterford City Cl.	395	0	271	666	360	1,026
Waterford Co. Cl.	265	0	39	304	279	583
Westmeath Co. Cl.	397	0	17	414	205	619
Wexford Co. Cl.	498	0	103	601	918	1,519
Wicklow Co. Cl.	373	0	34	407	377	784
Totals	16,295	254	5,343	21,892	15,867	37,759

Urban Renewal Schemes

319. **Deputy Dessie Ellis** asked the Minister for the Environment, Community and Local Government the status of Ballymun Shopping Centre, Dublin, which was to be replaced as part of the regeneration project; the progress made in this; and if he will make a statement on the matter. [6453/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): Ballymun Regeneration Limited (BRL) and Dublin City Council are continuing to explore all options to further the economic objectives of the Ballymun Masterplan, including the redevelopment of the privately owned Ballymun Shopping Centre and

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the adjoining lands owned by the City Council. Planning permission for the redevelopment of the centre and adjoining lands was granted in September 2009. The proposed redevelopment did not proceed at the time due to the prevailing economic conditions. However, provision of commercial, retail and other services in Ballymun, and at this prominent site in particular, remains very important within the context of the overall regeneration programme.

Local Authority Housing

320. **Deputy Eric Byrne** asked the Minister for the Environment, Community and Local Government his views on the many different formulas for calculating persons' eligibility for housing; his further views that it is wrong that Dublin City Council has one system which is completely different to the adjoining South Dublin County Council area's method of calculating persons entitlements for social housing; his further views that there is an urgent need to review the methodology used throughout the entire country so that there is a single, common formula that is used throughout the entire country as opposed to the formulas that currently exist in each different area and that this new method is fair, equitable and transparent; and if he will make a statement on the matter. [6475/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): Sections of the Housing (Miscellaneous Provisions) Act, 2009 dealing with social housing support, and related Social Housing Assessment Regulations, 2011, were commenced on 1 April 2011. The Regulations contain national eligibility criteria, including maximum income limits. These mandatory criteria must be applied by all housing authorities in assessing a household's eligibility for social housing support.

The new arrangements seek to streamline the process of applying for social housing support, both for the applicant and the local authority, while at the same time allowing a reasonable level of choice to households as to the areas in which they would like to receive social housing support. The new system includes a requirement that applicants may only make an application for housing support to a single housing authority for the purpose of determining whether or not they have a housing need. It requires completion of a new standard application form and provides maximum net income limits according to the area of application.

The ultimate aim of the new system is to provide a fair, consistent and transparent approach to eligibility for social housing support across the country and I am satisfied that the provisions are generally working well. My Department is currently reviewing the operation of the new regulations and, when the review is finalised, will implement any changes necessary.

Local Authority Charges

321. **Deputy Joan Collins** asked the Minister for the Environment, Community and Local Government the number of households who have registered for the €100 household charge to date in 2012 under the following headings (details supplied) and broken down by local authority areas in tabular form. [6476/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Local Government (Household Charge) Act 2011 and the Local Government (Household Charge) Regulations 2012 provide the legislative basis for the household charge. Under the legislation, an owner of a residential property on the liability date of 1 January 2012 is liable to pay the household charge, unless otherwise exempted or entitled to claim a waiver. The household charge is on a self-assessment basis and it is a matter for an owner of a residential

property on the liability date to determine if he/she has a liability and, if so, to declare that liability and pay the household charge.

The Local Government Management Agency (LGMA) is administering the household charge system on a shared service/agency basis for all county and city councils. I understand, from data provided by the LGMA, that as of 3 February, 2012, a total of 75,050 properties were registered for the household charge and that it has been paid in full in respect of 61,669 properties while 13,381 are making payment by direct debit in four instalments. The LGMA does not have the sub national details of the registrations sought in the Question.

Question No. 322 answered with Question No. 305.

Question No. 323 answered with Question No. 309.

Hazardous Waste

324. **Deputy Micheál Martin** asked the Minister for the Environment, Community and Local Government the reason the southern part of Haulbowline Island and other polluted parts of the island will not be covered by the steering group's Environmental Protection Agency licence application; and if he will make a statement on the matter. [6499/12]

325. **Deputy Micheál Martin** asked the Minister for the Environment, Community and Local Government his plans for the polluted parts of Haulbowline Island outside of the eastern tip; and when these plans will be implemented. [6500/12]

326. **Deputy Micheál Martin** asked the Minister for the Environment, Community and Local Government if studies have been undertaken on pollution seepage from sites other than the eastern tip into other parts of Haulbowline Island. [6501/12]

327. **Deputy Micheál Martin** asked the Minister for the Environment, Community and Local Government when the decision to exclude the southern part of Haulbowline Island from the Environmental Protection Agency licence application process was taken; and if he will make a statement on the matter. [6502/12]

328. **Deputy Micheál Martin** asked the Minister for the Environment, Community and Local Government if the decision to exclude the southern part of Haulbowline Island from the Environmental Protection Agency licence application was his decision or made by the steering group; if he will make a decision on the matter. [6503/12]

329. **Deputy Micheál Martin** asked the Minister for the Environment, Community and Local Government if the decision to exclude the southern part of Haulbowline Island from the Environmental Protection Agency licence application process was discussed by the steering group or subgroups before and after the decision was made; and if so, the number of occasions. [6504/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 324 to 329, inclusive, together.

There is an unauthorised hazardous waste site (known as the East Tip) within the site of the defunct steel works at Haulbowline, County Cork. Irish Ispat, the last company to operate the steel works, applied for, and was granted by the Environmental Protection Agency (EPA), an Integrated Pollution Control (IPC) licence. However, the company went into liquidation in June 2001 before the conditions in the licence could be met and the liquidator applied to the High Court seeking to disclaim the IPC licence. In its judgment on 29 July 2004, the Court

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found as a matter of fact that the IPC licence was granted after the company had ceased production of steel and that the conditions of the licence could not be applied retrospectively.

In 2003 the State, acting through my Department in a co-ordinating role, took over custody of the site from the liquidator as mandated by Government. The mandate required my Department to, inter alia, cover issues such as ongoing site security, ongoing maintenance, and other issues arising once the site was vacated by the liquidator and also to enable a site investigation to be carried out to determine the best option, economically and environmentally, for site remediation.

Following a complaint relating to the failure to ensure that the site was covered by a waste permit, the European Commission sought information from the Irish authorities on 7 May 2009 through the EU Pilot complaint system on the measures being taken to ensure that the waste was covered by a valid waste permit. In this request, the Commission cited the judgment in European Court of Justice Case C494/01. In an additional Letter of Formal Notice in October 2010, in relation to deliverables required of the State to close Case C494/01, the European Commission cited the unauthorised hazardous waste site within the site of the defunct steel works at Haulbowline, County Cork — the East Tip. It stated that it was evident from the response that no waste permit is in place for the sludge pit although it relates to an industrial site that was functioning up to 2001 (i.e. over a period when the Directive was applicable). The Waste Framework Directive applies to waste deposited after 1977 and the State is obliged to ensure that all such waste deposited since 1977 is covered by a valid waste permit.

Following Government consideration, my colleague the Minister for Agriculture, Food and the Marine, Mr. Simon Coveney TD, on 27 June 2011 announced the establishment of a Steering Group to oversee an application for a licence to the EPA to address the issue raised by the Commission in its Letter of Formal Notice and to oversee any necessary remedial action required. The Steering Group is chaired by Minister Coveney and also comprises representatives of the Departments of Jobs, Enterprise and Innovation, Defence, Public Expenditure and Reform, my Department and the Office of Public Works. Cork County Council has agreed on behalf of the State to prepare the licence application, under the supervision of the Steering Group. The timeline and outline of proposed works in this regard are set out on the Council's website, www.corkcoco.ie.

In so far as the South Tip is concerned, the waste in that location was deposited in the 1960's and, therefore, is not covered by waste legislation licensing requirements. However, Cork County Council will in due course be reviewing the data which exists and will carry out a risk assessment based on that data. The outcome of that risk assessment, which will take account of the relevant EPA Code of Practice and will be incorporated into the overall programme of works to be undertaken under the aegis of the Steering Group chaired by Minister Coveney, will inform decisions on what actions may be required in relation to the South Tip.

Water Charges

330. **Deputy Stephen S. Donnelly** asked the Minister for the Environment, Community and Local Government the prices charged to domestic and to business consumers for water in each county or local authority district here; if he will explain the variation in prices; if there exists or is in development any policy that will standardise same; and the guidelines in place for local authorities to ensure that the pricing of water is fair and reasonable. [6616/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): In 1998, the then Government approved a Water Pricing Policy which required the local authorities to recover the cost of providing water services from non-domestic users of these services.

Detailed guidance on the implementation of the policy was issued by my Department to local authorities between 1998 and 2004. The policy provides for cost recovery without profit, with charges based on actual metered consumption. The volumetric rates for water and waste services are set each year by each local authority based on the cost of service delivery within their functional area. The determination of the consolidated charge is a function of the local authorities and the charges being applied in 2012 are available from the local authorities. The *Programme for Government* provides for the reform of water services delivery including the establishment of Irish Water, a new State-owned water company and the introduction of a fair funding model to deliver clean and reliable water. The Memorandum of Understanding with the EU, the IMF and the ECB also contains commitments for the reform of water services delivery and operation and the introduction of domestic water charges. The Government is also proposing to establish an independent economic regulator for water within the Commission for Energy Regulation. The regulator will be responsible for setting a clear determination of the efficient costs for the provision of water and waste water service and ensuring efficiencies are driven and costs for customers reduced.

On 16 January 2012, I commenced a public consultation on the Government's proposals for reform of water services delivery in Ireland, including metering and water charges, seeking views from the public on the establishment of a public water utility and the introduction of domestic water charges. The details of the consultation process can be found on my Department's website and submissions can be made to my Department until 24 February 2012.

Services for People with Disabilities

331. **Deputy Caoimhghín Ó Caoláin** asked the Minister for the Environment, Community and Local Government if he has given approval to Monaghan County Council and a housing association (details supplied) to move to the next stage in the development of a group home for women with physical and sensory disabilities at Carrickmacross, County Monaghan; the projected timeframe for the next phase of the planning process; and if he will make a statement on the matter. [6619/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): My Department's involvement with voluntary and co-operative housing schemes relates primarily to the provision of funds for individual projects. The detailed administration of the schemes, and the certification that projects comply with the terms and conditions of the funding schemes, are the responsibility of the relevant local authority.

Monaghan County Council recently submitted revised proposals under my Department's Capital Assistance Scheme (CAS) for a group home for people with physical and sensory disabilities at Carrickmacross. These proposals are currently under consideration.

I will, in the context of an examination of existing programme commitments under CAS, give consideration to the financial scope for new CAS projects during 2012. It will be a matter for Monaghan County Council to prioritise projects locally having regard to the relevant merit of any proposals received and the extent to which they meet housing need.

Local Authority Staff

332. **Deputy Mary Lou McDonald** asked the Minister for the Environment, Community and Local Government if he will provide a detailed breakdown of the number of local authority workers who have availed of the Croke Park early retirement scheme including their grade and the local authority for whom they work in tabular form. [6657/12]

334. **Deputy Peadar Tóibín** asked the Minister for the Environment, Community and Local Government the number of staff within local government seeking to avail of the early retirement scheme by their local authority and grade. [6670/12]

335. **Deputy Pádraig Mac Lochlainn** asked the Minister for the Environment, Community and Local Government the number of staff that have availed of the early retirement scheme across local authorities in County Donegal. [6680/12]

346. **Deputy Dessie Ellis** asked the Minister for the Environment, Community and Local Government the number of local authority staff who have availed of the Croke Park early retirement scheme from the north west area of Dublin City Council. [6819/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 332, 334, 335 and 346 together.

My Department is collecting data on retirement figures from local authorities on a fortnightly basis at present. Based on the most recent figures, a total of 120 local authority employees have retired in the period 1 January 2012 to 27 January 2012 and a further 739 employees have notified local authorities of their intention to retire in the period 28 January, 2012 to 29 February, 2012. The total figure of 859 represents a significant increase on the previous figure of 755.

A breakdown by local authority of the numbers who have retired or notified their intention to do so is provided in table 1 below. A breakdown by grade of the numbers that have retired is provided in table 2 below:

	Numbers of Retirements from 01 January 2012 to 27 January 2012 inclusive	Numbers of Retirement Notices on hand where the notice of retirement is from 28 January 2012 to 29 February 2012 inclusive	Total
<i>City Councils</i>			
Cork	3	24	27
Dublin	23	145	168
Galway	1	7	8
Limerick	1	19	20
Waterford	3	8	11
<i>County Councils</i>			0
Carlow	0	7	7
Cavan	2	22	24
Clare	1	20	21
Cork	2	46	48
Donegal	3	37	40
Dun Laoghaire/Rathdown	3	18	21
Fingal	6	32	38
Galway	7	23	30
Kerry	1	21	22
Kildare	4	16	20
Kilkenny	1	14	15
Laois	3	11	14
Leitrim	2	10	12

	Numbers of Retirements from 01 January 2012 to 27 January 2012 inclusive	Numbers of Retirement Notices on hand where the notice of retirement is from 28 January 2012 to 29 February 2012 inclusive	Total
Limerick	8	24	32
Longford	0	9	9
Louth	2	8	10
Mayo	8	24	32
Meath	0	16	16
Monaghan	1	14	15
Offaly	2	4	6
Roscommon	2	8	10
Sligo	1	9	10
South Dublin	12	43	55
Tipperary North	4	13	17
Tipperary South	2	17	19
Waterford	3	15	18
Westmeath	3	9	12
Wexford	4	25	29
Wicklow	2	21	23
Total	120	739	859

Breakdown by grade of those who have retired from 01 January 2012-27 January 2012 inclusive

<i>City Councils</i>	
Cork	General Operative (1) Water Production Attendant (1) Park Ranger (1)
Dublin	Administrative Officer (1) Assistant Community Officer (1) Assistant Staff Officer (1) Building Inspector (1) Clerical Officer (1) Senior Executive Officer (1) Senior Housing Officer (1) Senior Staff Officer (1) Sheltered Housing Liaison Officer (1) Superintendent of Building Works (1) Assistant Foreman (1) Chargehand(1) Firefighter (2) Foreman (2) Painter (1) General Operative (5) Sub Officer (1)
Galway	Clerical Officer (1)
Limerick	Craftsman (1)

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Breakdown by grade of those who have retired from 01 January 2012-27 January 2012 inclusive

Waterford	Clerical Officer (1) Driver (1) City Hall Superintendent (1)
<i>County Councils</i>	
Carlow	Nil
Cavan	Craftsman (1) Driver (1)
Clare	Retained Firefighter (1)
Cork	Executive Planner (1) Plumbers Helper (1)
Donegal	Senior Engineer (1) Senior Staff Officer (1) Multi Skilled (1)
Dún Laoghaire/Rathdown	Senior Executive Parks Superintendent (1) Assistant Staff Officer (1) Clerical Officer (1)
Fingal	Administrative Officer (2) Librarian (1) Senior Librarian (1) Library Attendant (1) Ganger (1)
Galway	Assistant Staff Officer (1) Branch Librarian (1) Executive Engineer (1) Executive Planner (1) General Operative (1) Craftworkers Mate (1) Chargehand (1)
Kerry	Roads Foreman (1)
Kildare	Chief Technician (1) Revenue Collector (1) Settlement Worker (1) General Services Supervisor (1)
Kilkenny	Driver (1)
Laois	Clerical Officer (2) Fire Station Officer (1)
Leitrim	County Librarian (1) Retained Firefighter (1)
Limerick	School Warden (2) Retained Firefighter (1) Senior Library Assistant (1) Roads Foreman (1) Ganger (1) Craftworkers Mate (1) Waterworks Caretaker Grade Three (1)
Longford	Nil
Louth	General Services Supervisor (1)

 Breakdown by grade of those who have retired from 01 January 2012-27 January 2012 inclusive

Mayo	Craftworker (1) Assistant Staff Officer (1) Foreman (1) Ganger (1) General Operatives (2) Library Driver (1) Waterworks Caretaker Grade Three (2)
Meath	Nil
Monaghan	General Operative (1)
Offaly	Foreman (1) Semi Skilled (1)
Roscommon	Waterworks Caretaker (2)
Sligo	General Operative (1)
South Dublin	Staff Officer (2) Water and Drainage Inspector (1) Driver (1) Ganger (1) Craftworker (2) Wheelie Bin Operative (2) General Operative (2) Park Ranger (1)
Tipperary North	Staff Officer (1) County Librarian (SEO) (1) Library Officers (2)
Tipperary South	Clerical Officer (1) General Operative (1)
Waterford	Clerk of Works (1) Foreman (1) General Operative (1)
Westmeath	Assistant Staff Officer (1) General Operative (1)
Wexford	Life Guard (1) Drivers (2) Waterworks Caretaker (1)
Wicklow	General Operative (1) Driver (1) General Services Supervisor (1)

Local Authority Charges

333. **Deputy Jack Wall** asked the Minister for the Environment, Community and Local Government if a person (details supplied) is liable for the full rate of the household charge; and if he will make a statement on the matter. [6665/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I refer to the reply to Question No. 116 of 1 February, 2012, which sets out the position in this matter.

Questions Nos. 334 and 335 answered with Question No. 332.

Local Authority Housing

336. **Deputy John McGuinness** asked the Minister for the Environment, Community and Local Government the grant schemes or other schemes available to local authority tenants to fully insulate their homes; and if he will make a statement on the matter. [6696/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): In line with overall national policy which promotes a reduction in energy use, the enhancement of energy efficiency standards remains a priority within my Department's overall strategy for the improvement of local authority housing.

My Department does not operate a grant scheme in this regard for individual local authority tenants but under the Department's Social Housing Investment Programme, local authorities are allocated capital funding each year in respect of a range of measures to improve the standard and overall quality of their social housing stock. The programme includes a retrofitting measure aimed at improving the energy efficiency of older apartments and houses by reducing heat loss through the fabric of the building and the installation of high-efficiency condensing boilers.

Given the constraints on new local authority housing supply, it is important that the existing stock of local authority housing is available and in fit condition to meet housing need. Under the allocation to be made in respect of this year's programme there is a particular focus on returning vacant properties to productive use. Works to occupied units may also be carried out, from within the allocation provided, where the local authority considers this appropriate.

Wastewater Treatment Systems

337. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government the legislation or statutory instrument by which he proposes to grant exemption from planning to householders who have to upgrade their waste water systems in order to comply with the provisions of the Water Services (Amendment) Act 2012; and if he will make a statement on the matter. [6699/12]

338. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government the EU directives or legislation, national legislation or statutory instrument by which he proposes to grant exemptions from environmental screening and environmental impact statements to householders who have to upgrade their waste water systems in order to comply with the provisions of the Water Services (Amendment) Act 2012; and if he will make a statement on the matter. [6700/12]

339. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government the legislation or statutory instrument by which he proposes to ensure that all householders no matter how small their site will be able to comply with the regulations under the Water Services (Amendment) Act 2012; and if he will make a statement on the matter. [6701/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 337 to 339, inclusive, together.

I refer to the reply to Question Nos. 19 and 40 of 2 February 2012, which sets out the position in this matter.

340. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government if householders will have to comply with EN 12566-3 as part of their obligations

under the Water Services (Amendment) Act 2012; and if he will make a statement on the matter. [6702/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan):

The European standard EN 12566 is a suite of standards for wastewater treatment systems consisting of 7 parts of which parts 1, 3 and 4 are harmonised product standards. These standards set out the testing and factory production control regimes for septic tanks (Part 1 and 4) and packaged wastewater treatment systems (Part 3). Ireland recently set minimum performance levels for the tests in these standards through National Annexes which ensure that the products being used in Ireland are fit for purpose. The performance levels set are in line with current practice and are no more onerous than the existing requirements.

If a septic tank or biological treatment unit has to be replaced, for whatever reason, then the new product should conform with the relevant harmonised European Product standard and meet the requirements of the Irish National Annex.

There is no obligation under the Water Services (Amendment) Act 2012 to provide a specific type of on-site wastewater treatment unit.

Litter Pollution

341. **Deputy David Stanton** asked the Minister for the Environment, Community and Local Government further to Parliamentary Question No. 20 of 20 October 2011, the amount made available under the anti-litter awareness grant scheme for 2012; the amount expended under this scheme in 2011; and if he will make a statement on the matter. [6707/12]

342. **Deputy David Stanton** asked the Minister for the Environment, Community and Local Government further to Parliamentary Question No. 20 of 20 October 2011, regarding the €1 million funding available under the anti-litter awareness grant scheme in 2011, the number of submissions received from local authorities regarding the possible roll-out of adopt a road schemes in their functional areas; the total number who applied for funding of such schemes; the amounts subsequently allocated for these schemes; if he has received any applications from local authorities this year for adopt a road schemes; and if he will make a statement on the matter. [6708/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 341 and 342 together.

As stated in the previous reply referred to, under the Litter Pollution Acts 1997 to 2009 it is the function of local authorities to provide the primary response to littering. My Department's role is to provide the legislative framework for combating litter pollution, and to motivate and energise anti-litter responses as necessary.

The Anti-Litter Awareness Grant Scheme, which is administered by my Department, allows local authorities the opportunity to apply for grant funding for suitable projects such as adopt a road schemes. Under the scheme in 2011, I requested local authorities to examine and investigate the possible roll-out of adopt a road schemes in their functional areas, where practicable.

34 submissions were received from local authorities in respect of the €1 million funding which was made available in 2011 under the scheme and a total of €985,218 was paid out in grant assistance in respect of eligible projects. Of the 34 submissions received, 14 local authorities applied for and were allocated funding for adopt a road type projects. The total amount of funding provided for these projects was €91,042.

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Details of the individual payments to local authorities for adopt a road projects in 2011 are set out in the table:

Local Authority Name	Individual Cost of Adopt a Road Schemes in 2011
Carlow County Council	€2,000.00
Cavan County Council	€3,000.00
Clare County Council	€1,800.00
Donegal County Council	€28,750.00
Fingal County Council	€10,392.00
Galway County Council	€5,300.00
Kerry County Council	€2,500.00
Leitrim County Council	€2,000.00
Louth County Council	€6,000.00
Meath County Council	€7,000.00
Roscommon County Council	€6,300.00
Tipperary South County Council	€4,000.00
Westmeath County Council	€7,500.00
Wicklow County Council	€4,500.00

Funding for the Anti Litter Awareness Grant Scheme is provided from the Environment Fund and the 2012 Environment Fund allocations are currently being finalised. Local authorities will then be invited to apply for grant aid for projects which meet the criteria set out in the Anti-Litter Awareness Grant Scheme. As in 2011, I will again be requesting local authorities to examine the further roll-out of additional adopt a road projects in their functional areas, where practicable.

Local Government (Charges) Act 2009

343. **Deputy Jim Daly** asked the Minister for the Environment, Community and Local Government if he has given instructions to local authority managers to exercise discretion when collecting arrears for the non principal private residence charge for persons who genuinely cannot afford to pay or to persons living abroad who have not been aware of the charge to date; and if he will make a statement on the matter. [6758/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Local Government (Charges) Act 2009, as amended, broadened the revenue base of local authorities by introducing a charge on non-principal private residences. The charge is set at €200 and liability for it falls, in the main, on owners of rental, holiday and vacant properties.

Under the Act, it is a function of a local authority to collect non-principal private residence charges and late payment fees due to it and all charges and late payment fees imposed and payable to a local authority are under the care and management of the local authority concerned. In this regard, application of the legislation in particular circumstances is a matter for the relevant local authority. Interpretation of the legislation is a matter for legal advice in individual cases and ultimately a matter for the courts.

My Department is currently engaged with the City and County Managers' Association in the development of guidelines for local authorities in relation to the operation of the "care and management" provisions of the legislation. In particular, this guidance will deal with situations where significant arrears of non-principal private residence charges and late payment fees have

arisen and where a person can demonstrate genuine hardship in having to discharge their liability in a single payment. In such cases, the guidelines will set out the modalities for local authorities, exercising their functions under the care and management provisions, including where payment of the outstanding liability in a single payment would result in hardship, entering into payment arrangements for the discharge of outstanding liabilities in instalments over a specified period.

Question No. 344 answered with Question No. 316.

Household Charge

345. **Deputy Paul J. Connaughton** asked the Minister for the Environment, Community and Local Government the reason residents of an estate (details supplied) in County Galway are not entitled to a waiver from the household charge in view of the fact that it is an unfinished estate; and if he will make a statement on the matter. [6818/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): As part of the process of preparing the National Housing Development Survey 2011, published by my Department in October 2011, local authorities provided details of all unfinished housing developments in their areas. Unfinished housing developments were divided into four categories as follows:

- Category one, where the development is still being actively completed by the developer, or where no serious public safety issues exist;
- Category two, where a receiver has been appointed;
- Category three, where a receiver has not been appointed and the developer is still in place but effectively inactive; and
- Category four, where the development has been effectively abandoned and is posing serious problems for residents.

This categorisation formed the basis for the list of those unfinished developments eligible for a waiver on the annual household charge. Only households in developments in categories three and four are eligible for the waiver.

Question No. 346 answered with Question No. 332.

Waste Management

347. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community and Local Government when a decision will be made on the future of the Poolbeg Incinerator, Dublin; and if he will make a statement on the matter. [6845/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): In accordance with the provisions of the Waste Management Acts, the preparation and adoption of a waste management plan, including in respect of infrastructure provision, is the statutory responsibility of the local authority or authorities concerned, and under section 60(3) of the Act the Minister is precluded from exercising any power or control in relation to the performance by a local authority, in particular circumstances, of a statutory function vested in it.

While I understand that the parties to the contract in respect of the Poolbeg facility are in a period of review, the project is being advanced by Dublin City Council, acting on behalf of the

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four Dublin local authorities. Accordingly, questions concerning the status of the project should be directed to the City Council.

Rural Development

348. **Deputy Brendan Griffin** asked the Minister for the Environment, Community and Local Government further to Parliamentary Question No. 453 of 31 January 2012, if there will also be an increase in capping; and if he will make a statement on the matter. [6886/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I assume the question refers to the €200,000 maximum grant aid currently allowable under the Rural Development Programme (RDP). Up until recently community projects could apply for grant aid of up to €500,000; however a State Aid issue identified in late 2011 resulted in the suspension of grant aid for any project with grant amount of €200,000 or more.

State aid refers to any aid granted by a Member State which distorts or threatens to distort competition by favouring certain undertakings or goods. EU Member States are required, under State Aid rules, to submit a notification to DG Competition in the European Commission (EC) when they propose to provide state support for schemes and programmes that could be considered to distort competition in any way. Commission Regulation EC 1998/2006 allows for aid of up to €200,000, known as *de minimis* aid, to be provided from public funds to enterprises over a period of three years as this amount is considered too small to have an effect on economic activity between competing forces.

In the original Rural Development Programme (RDP) document approved by the EC in July 2007 Ireland outlined that, as the aid to be granted under two of the Axis 3 measures of the RDP would not in any way distort competition, it would not constitute State Aid and would, therefore, not require notification to DG Competition. The measures concerned, *Basic services for the economy and rural population — €49.61m* and *Village renewal and development — €54.2m* provide support for non-commercial community based projects and focus particularly on community infrastructure.

Recently Ireland was notified by the EC that only DG Competition has the competence to judge whether or not state support can be deemed to be State Aid and that a State Aid notification in the context of these two measures should have been submitted when the original programme was being prepared in 2006/2007.

The notification process was not undertaken at the time of programme design and the EC now require Ireland to complete the notification process as soon as possible and obtain the necessary state aid clearance in order to proceed with projects requiring grant aid in excess of €200,000. As the consequences of non-compliance with State Aid rules are significant, particularly for project promoters, it is necessary to suspend the allocation and approval of projects with grant amounts of over €200,000 in order to avoid non-compliance.

The documentation for the State Aid notification has been submitted through the relevant EU notification systems. As soon as my Department receives the Commission decision we will notify all Local Development Companies.

Question No. 349 answered with Question No. 305.

Local Authority Housing

350. **Deputy Willie Penrose** asked the Minister for the Environment, Community and Local Government if he will outline the current terms of the tenant purchase scheme including the

eligibility criteria; the closing date for participation in this scheme; if a new scheme will be introduced to replace the existing scheme which will expire in December 2012; and if he will make a statement on the matter. [6888/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): The current tenant purchase scheme, known as the 1995 Tenant Purchase Scheme, is provided for in section 90 of the Housing Act, 1966. The details of the scheme are set out in the legislation and in the associated regulations. Housing authorities have adopted Purchase Schemes to implement the scheme in their areas.

The criteria for a tenant purchasing a home under the tenant purchase scheme include that a tenant must have a period of reckonable tenancy of at least one year’s duration. The Housing Miscellaneous Provisions Act, 1997 provides that a housing authority may refuse to sell a dwelling to a tenant where the authority considers that the tenant is or has been engaged in anti-social behaviour or that a sale to that tenant would not be in the interest of good estate management. Certain classes of houses, as distinct from tenants, may be excluded from sale under the Regulations and in accordance with the provisions of individual tenant purchase schemes adopted by housing authorities.

There is no specific expiry date yet set for the 1995 Scheme. However, it remains the intention, as announced in 2010, that the tenant purchase arrangements be wound down in 2012 to be replaced by a new scheme based on the incremental purchase model. This change will require amending legislation. Details of the proposed new scheme and the arrangements for winding down the 1995 scheme will be announced when proposals are further advanced. My Department has reminded housing authorities to inform all existing tenants of houses of the decision to end the tenant purchase scheme in 2012 so that they have sufficient time to apply to purchase their home under the existing scheme if they so wish.

Question No. 351 answered with Question No. 309.

Household Charge

352. **Deputy Niall Collins** asked the Minister for the Environment, Community and Local Government if he will clarify a specific issue (details supplied) in regard to the €100 property tax. [6935/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I assume the Question is referring to the household charge.

The Local Government (Household Charge) Act 2011 and the Local Government (Household Charge) Regulations 2012 provide the legislative basis for the household charge.

The Act places the household charge under the care and management of the local authorities, and application in particular circumstances is a matter for the relevant local authority. Interpretation of the legislation is a matter for legal advice in individual cases and ultimately a matter for the courts.

Section 2 of the Act sets out the meaning of “residential property” for the purposes of the Act. In particular, section 2(2)(d) of the Act provides that a building that is wholly used as a dwelling (other than a dwelling that forms part of a mixed hereditament within the meaning of the Local Government (Financial Provisions) Act 1978, and in respect of which local authority rates are payable, is not a residential property for the purposes of the household charge. There would be a liability in respect of a residential property that forms part of a mixed hereditament, within the meaning of the Local Government (Financial Provisions) Act 1978, unless otherwise exempted or entitled to a waiver.

Legislative Programme

353. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality with regard to the insolvency Bill, his plans to ensure that the lenders will have an obligation or incentives to accept them; and if he will make a statement on the matter. [6269/12]

Minister for Justice and Equality (Deputy Alan Shatter): The reform of personal insolvency law, the Heads of Bill which I have published, will involve the introduction of three new non-judicial debt settlement systems, subject to relevant conditions in each case. These are as follows:

- A Debt Relief Certificate to allow for the full write-off of qualifying unsecured debt up to €20,000, after a one-year moratorium period for debtors with “no assets — no income”;
- a Debt Settlement Arrangement for the agreed settlement of unsecured debt of €20,001 and over with two or more creditors;
- a Personal Insolvency Arrangement for the agreed settlement of both secured and unsecured debt of €20,001 to €3 million with one or more creditors. The Personal Insolvency Bill will also continue the reform of the Bankruptcy Act 1988, begun in the Civil Law (Miscellaneous Provisions) Act 2011 will include, critically, the introduction of automatic discharge from bankruptcy, subject to certain conditions, after 3 years in place of the current 12 years.

It is not for me to speculate as to the future conduct of any of the participants in an insolvency process. However, I am of the view that new personal insolvency laws, including the bankruptcy law reform, should provide a significant incentive for financial institutions to develop and implement realistic agreements to manage or settle debt with their customers. Such agreements should in time become the norm as the most sensible and cost-effective arrangements, particularly where the issue is one of dealing with repayment difficulties for a single major debt, secured or otherwise. These agreements could include measures to address mortgage arrears.

354. **Deputy Jerry Buttimer** asked the Minister for Justice and Equality his plans to reform the law on mental capacity; and if he will make a statement on the matter. [6229/12]

Minister for Justice and Equality (Deputy Alan Shatter): I refer the Deputy to my response to Question No. 193 of 12 January 2012 in which I said that: “The Government Legislation Programme, published on 11 January 2012, indicates that the Mental Capacity Bill is expected to be published in this session. The Bill will reform the law on mental capacity taking into account the Law Reform Commission’s Report on Vulnerable Adults and the Law. The enactment of new mental capacity legislation is one of the core elements of the remaining work to be completed towards ratifying the UN Convention on the Rights of Persons with Disabilities.”

Garda Stations

355. **Deputy Dara Calleary** asked the Minister for Justice and Equality the total number of Garda stations here as at 31 December 2011; the number of these stations that have an e-mail address; his views that every arda station should have a unique email connection; and if he will make a statement on the matter. [6242/12]

Minister for Justice and Equality (Deputy Alan Shatter): I have been informed by the Garda Commissioner that the total number of Garda Stations in the country at the end of 2011 was

703. I have been further informed by the Garda Commissioner that there are currently 421 networked Garda locations in the country. While not every Garda station is a networked location, every District and Divisional Headquarters is, therefore providing access to that network for every member of An Garda Síochána. All Garda stations which are not directly linked to the Garda network have secure voice communications to their local networked station which meets the current operational requirements.

Garda Strength

356. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality his views on a matter (details supplied) regarding Garda numbers. [6252/12]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda Authorities that the personnel strength of the Kerry Division on the 31 December 2011, the latest date for which figures are readily available, was 314 which compares with 334 on the 31 December 2010 or a reduction of approximately 6%. As the Deputy will be aware, the allocation of resources, including personnel, vehicles and other equipment, is a matter for the Garda Commissioner in consultation with his senior management team. Reductions in Garda strength must be seen in the context of a wider programme aimed at reducing the size of the public service, and will contribute to reducing expenditure and complying with the terms of the EU-IMF agreement.

Today I have secured Cabinet approval for the appointment of 2 Assistant Garda Commissioners, 8 Chief Superintendents and 23 Superintendents, a total of 33 appointments to senior Garda ranks. All of the consequential vacancies at Sergeant and Inspector ranks will also be filled. I was very glad to secure the agreement of my colleague, the Minister for Public Expenditure and Reform, and the Cabinet as a whole for such a significant number of appointments. In seeking these promotions, I was conscious of the need to enable the Garda Commissioner to fill key positions in the senior ranks, and to maintain both the investigative and also the management and supervisory capacity of the Force.

Local Garda Management closely monitors the allocation of all resources in the context of crime trends, policing needs and other operational strategies in place on a District, Divisional and Regional level, to ensure optimum use is made of Garda resources, and the best possible Garda service is provided to the public. Senior- Garda Management is satisfied that a comprehensive policing service continues to be delivered and that current structures in place meet the requirement to deliver an effective and efficient policing service to the community. This situation will be kept under review.

While a policing service may not always be provided in the same way as it was in the past, it is no less effective and the commitment of An Garda Síochána to the community is not diminished. The importance of the partnership between An Garda Síochána and the community in preventing and detecting crime and maintaining a safe environment for everyone can never be over-emphasised and the pledge of An Garda Síochána is to continue to invest time and energy in those partnerships and relationships to the benefit of all.

Garda Stations

357. **Deputy Catherine Murphy** asked the Minister for Justice and Equality the position regarding the proposals to redevelop Clane Garda station, County Kildare, in view of the inadequate facilities for both staff and members of the public; if the station has been identified as a high accommodation priority by An Garda Síochána; and if he will make a statement on the matter. [6303/12]

Minister for Justice and Equality (Deputy Alan Shatter): The programme of replacement and refurbishment of Garda accommodation is based on agreed priorities established by An Garda Síochána. This programme is progressed in co-operation with the Office of Public Works, who have responsibility for capital expenditure in relation to Garda accommodation. The Deputy will recall from the reply I gave to her in Parliamentary Question No. 130 on 1st December 2011 that proposals in relation to the refurbishment of Clane Garda station are being developed. The Garda authorities have indicated that these proposals will be taken forward with reference to An Garda Síochána's overall accommodation priorities and the availability of resources.

Proposed Legislation

358. **Deputy Finian McGrath** asked the Minister for Justice and Equality the position regarding legislation (details supplied). [6367/12]

Minister for Justice and Equality (Deputy Alan Shatter): The Deputy will recall that the Government announced in December last that it had decided not to proceed with legislation in the area referred to in his question. There was a substantial concern that any legislative scheme involving interference in the contractual relationships of private parties would find it extremely difficult to survive a Constitutional challenge. In addition, at this difficult time in our economic circumstances, the Government was advised that any model proposed would require the payment of compensation to landlords whose rights were infringed, in order to ensure that the proposal would be compatible with the Constitution and the European Convention on Human Rights. The Government was strongly of the view that payment of compensation to landlords in such circumstances could not be justified in the current economic climate.

I am well aware of the difficulties in which parts of the retail sector finds itself. The Minister for Finance outlined in his Budget speech that NAMA can play a role in dealing with the problems caused by upward only rent reviews which apply to NAMA properties. NAMA has published on its website its policy guidance which will inform the approach to be taken where relevant tenants are experiencing difficulties in paying rents. I would also note the existence of a rent review arbitration code which was developed by an expert group whose membership was drawn from all relevant stakeholders and which provides a mechanism to deal with the resolution of rent review disputes in the commercial property sector.

While it has not proved possible to bring forward legislation in this area, I urge those landlords who have not yet engaged with their tenants to do so and to have regard to the realities of the market. It is important to remember that a tenant paying some rent, even at a lower level, is of more use to a landlord than an empty property which is not attracting any rent at all.

Visa Applications

359. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the procedures to be followed to facilitate a visit in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [6371/12]

Minister for Justice and Equality (Deputy Alan Shatter): In common with all citizens of Iraq the persons referred to are required to be in possession of a visa prior to seeking entry to the State. All persons who are visa required and who are not in possession of same should refer to the website of the Irish Naturalisation and Immigration Service (www.inis.gov.ie). The visa application process and procedures are available there. Each visa application is considered on its individual merits the onus resting with the applicant to satisfy the visa officer as to why the visa sought should be granted.

Queries in relation to general immigration matters may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

Garda Strength

360. **Deputy Dessie Ellis** asked the Minister for Justice and Equality if he will provide a breakdown of the numbers of gardaí who retired from the force in Ballymun, Finglas, Santry and Whitehall, Dublin 11; the expected retirements for 2012; and if these positions have or are to be filled. [6449/12]

Minister for Justice and Equality (Deputy Alan Shatter): I wish to advise the Deputy that it has not been possible to provide the information required in the limited time available. However, the information is currently being collated and will be sent to the Deputy as soon as possible.

361. **Deputy Dessie Ellis** asked the Minister for Justice and Equality if he will provide a breakdown of the number of gardaí serving in Dublin Airport in the years 2010, 2011 and projected numbers for 2012. [6450/12]

Minister for Justice and Equality (Deputy Alan Shatter): I have been informed by the Commissioner that the personnel strength of Dublin Airport on 31 December 2010 and on the 31 December 2011 was 22 and 33 respectively. These numbers are augmented by officers from the Garda National Immigration Bureau whose deployment in Dublin airport is dependent on the passenger numbers flowing through the airport on any given day. The Deputy will be aware that the Commissioner, in consultation with his senior management team, is responsible for the detailed allocation of resources, including personnel, throughout the organisation and it is therefore not possible for me to state what the strength will be in 2012. I can inform the Deputy and the House that a pilot scheme for the provision of civilian Immigration Officers is currently being introduced in Dublin Airport to free up Gardaí for frontline operational duties.

Courts Service

362. **Deputy Denis Naughten** asked the Minister for Justice and Equality the steps which are being taken to hold all remand hearings for prisoners in Castlerea Prison at Harristown Court, Roscommon; and if he will make a statement on the matter. [6458/12]

Minister for Justice and Equality (Deputy Alan Shatter): The position is that the Courts are, subject only to the constitution and the law, independent in the exercise of their judicial functions and the conduct of any court case is a matter for the presiding judge. In order to be of assistance to the Deputy, I have had enquiries made and the Courts Service has informed me that the place to which a person appearing before the District Court is remanded is at the discretion of the presiding judge.

Section 27(3) of the Courts of Justice Act, 1953 provides that the judge may transfer or adjourn business to another occasion at the same court or another occasion at some other place in his district. Section 5 of the Criminal Justice (Miscellaneous Provisions) Act, 1997 provides that notwithstanding section 27(3), the judge before which a person first appears charged with a particular offence may remand a person in custody to appear at a sitting of the District Court (alternative court) in the District Court District in which the prison or place of detention in

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which a defendant is being held or a District Court District adjoining that District Court District.

The Deputy will appreciate that, as outlined above, this issue is one for the judiciary who are independent in their functions. I understand that section 5 of the 1997 Act is used regularly where appropriate in relation to Harristown Court. A working group to identify efficiencies in the Circuit and District Courts which includes members of the judiciary is currently examining how this practice can be more widely deployed in other locations where appropriate.

Garda Stations

363. **Deputy Denis Naughten** asked the Minister for Justice and Equality the date of the last neighbourhood watch meeting in each community which is about to have its Garda station closed; the planned date for closure of each station; if he will confirm that a garda is being appointed at district level to act as a community liaison with each community set to lose its Garda station; and if he will make a statement on the matter. [6459/12]

Minister for Justice and Equality (Deputy Alan Shatter): The names of the Garda Stations which are scheduled to close in 2012 have been provided to the House in the Policing Plan for An Garda Síochána which I lodged with the House last December. I have also today circulated with my response to Parliamentary Question 6551/12, a table containing the names of those stations. I have requested information from the Garda authorities along the lines sought by the Deputy with respect to Neighbourhood Watch and I will be in contact with the Deputy when this information is to hand.

Citizenship Applications

364. **Deputy Michael McCarthy** asked the Minister for Justice and Equality if he will clarify if, in the event that an American citizen marries an Irish citizen in the USA, if he or she is entitled to Irish citizenship; and if he will make a statement on the matter. [6496/12]

Minister for Justice and Equality (Deputy Alan Shatter): There is no entitlement to Irish citizenship by virtue of marriage to an Irish citizen under the provisions of the Irish Nationality and Citizenship Act 1956, as amended, whether the marriage takes place in the State or in a foreign country. The spouse of an Irish citizen may attain Irish citizenship through naturalisation at the absolute discretion of the Minister. Under Section 15A of the Irish Nationality and Citizenship Act 1956, as amended, a foreign national who is married to, or is the Civil Partner of, an Irish citizen for at least three years may apply for naturalisation if they have been continuously resident in the island of Ireland for the year immediately prior to the date of their application and for two out of the four years prior to that year. The marriage or civil partnership must be subsisting and recognised under Irish law.

Section 16 of the Irish Nationality and Citizenship Act 1956, as amended, provides that the Minister may, in his absolute discretion, waive some or all of the statutory conditions in certain circumstances i.e. where an applicant is of Irish descent or of Irish associations; where an applicant is a person who is a refugee within the meaning of the United Nations Convention relating to the Status of Refugees; or where an applicant is a Stateless person within the meaning of the United Nations Convention relating to the Status of Stateless persons. A person is of Irish associations if he or she is related by blood, affinity or adoption to, or is the civil partner of, a person who is an Irish citizen or entitled to be an Irish citizen. An application for a certificate of naturalisation may be lodged at any time.

Garda Deployment

365. **Deputy Jonathan O'Brien** asked the Minister for Justice and Equality the statutory basis which allows Garda escorts for transporting commercial explosives on a non-public duty basis; the body that bears the cost of Garda involvement in such activities; and if he will make a statement on the matter. [6505/12]

Minister for Justice and Equality (Deputy Alan Shatter): I can inform the Deputy that under section 30 of the Garda Síochána Act 2005, the Garda Commissioner may charge for certain policing services. The question of charges for the type of services referred to by the Deputy is under review at present.

Garda Strength

366. **Deputy Derek Keating** asked the Minister for Justice and Equality the current status of Garda management in relation to promotions, resignations and retirements; if he is satisfied that there are enough inspectors, superintendents, chief inspectors and assistant commissioners to assist the commissioner in maintaining the service of law and order that is needed in this country; and if he will make a statement on the matter. [6512/12]

Minister for Justice and Equality (Deputy Alan Shatter): The strength of the Garda Síochána at the end of 2011 was just under 13,900, along with over 2,000 civilian support staff and over 800 Garda Reserve members. I am informed by the Garda Authorities that the total number of Garda retirements from the Force in the first two months of this year is expected to be around 300. To put that figure into context, in 2009 the number of retirements was 722, in 2010 it was 362, and last year it was 436.

As the Deputy will be aware, these reductions form part of a wider programme aimed at reducing the size of the public service, and will contribute to reducing expenditure and complying with the terms of the EU-IMF agreement. Of course, what will ultimately determine the sustainable level of Garda numbers is the level of budgetary provision that can be made for the Force, and the House will be conscious that difficult decisions will continue to have to be made, right across the public sector, in order to bring our public finances back into balance. Of course, even with a reduction in overall Garda numbers, there will still be a need to ensure that key positions are filled, especially in the senior ranks. As the Deputy may be aware, I today secured Cabinet approval for the appointment of 2 Assistant Garda Commissioners, 8 Chief Superintendents and 23 Superintendents, a total of 33 appointments to senior Garda ranks. All of the consequential vacancies at Sergeant and Inspector ranks will also be filled.

I was very glad to secure the agreement of my colleague, the Minister for Public Expenditure and Reform, and the Cabinet as a whole for such a significant number of appointments. In seeking these promotions, I was conscious of the need to enable the Garda Commissioner to fill key positions in the senior ranks, and to maintain both the investigative and also the management and supervisory capacity of the Force. With clarity now emerging on the final number of retirements expected by the end of this month, I will be discussing with the Minister for Public Expenditure and Reform the case for filling outstanding vacancies in the senior ranks.

Illicit Trade in Tobacco

367. **Deputy Derek Keating** asked the Minister for Justice and Equality his response and that of An Garda Síochána to the report that as much as 18% of cigarettes smoked here last year were illegally imported; his views that the smuggling of tobacco products is on par with illegal drugs such as heroin, crack cocaine and cannabis; and if he will make a statement on the matter. [6513/12]

Minister for Justice and Equality (Deputy Alan Shatter): The Deputy will be aware that law enforcement in relation to the smuggling of tobacco products and the sale of illicit or counterfeit tobacco products within the State is primarily a matter for the Revenue Commissioners. While it has not been possible to identify the specific report to which the Deputy refers, the Revenue authorities have informed me that a survey commissioned in 2009 by the Revenue Commissioners and the Office of Tobacco Control estimated that 20% of cigarettes consumed in the State had not been taxed in this jurisdiction. This figure was further broken down as 14% illicit product and 6% legal purchases by passengers arriving into the State from other jurisdictions. A similar study in the last quarter of 2010 was consistent with these estimates and I understand that a further survey is currently underway.

There is a close working relationship in place between the Customs Service of the Revenue Commissioners and An Garda Síochána in tackling this form of criminality. Searches are regularly undertaken by the Gardaí as part of intelligence-led operations led by Revenue. An Garda Síochána also continue, on district and divisional levels to target those involved in the sale and distribution of illegal products, at markets and via door-to-door sales. It is difficult to establish a comparative basis in relation to the smuggling of controlled drugs and the smuggling of tobacco products. This is mainly due to the fact that in contrast to controlled drugs such as heroin, crack cocaine and cannabis, there is a legal domestic market for the consumption of tobacco products and the smuggling of tobacco products involves the criminal evasion of a commodity tax, a tax from which the Exchequer benefits. Furthermore, given the covert nature of the illegal importation of both controlled drugs and tobacco it would be extremely difficult to draw any comparison between the overall volumes of each substance being trafficked into the State.

Housing Management Companies

368. **Deputy Dessie Ellis** asked the Minister for Justice and Equality the work he is undertaking to deal with the issues arising when families have paid deposits on homes in estates in which the management company is no longer in business and no local authority has taken up the responsibility of roads and maintenance and so the house purchase cannot be completed. [6598/12]

Minister for Justice and Equality (Deputy Alan Shatter): One of the principal objectives of the Multi-Unit Developments Act 2011 is to ensure transfer of the common areas of multi-unit developments from developers to the owners' management companies concerned. Section 4 of the Act, which deals with partially completed developments, and section 5, which deals with substantially completed developments, provide that transfer of the relevant parts of the common areas must have been completed within 6 months of the coming into operation of the Act, i.e. before 1 October 2011.

Section 24 of the Act establishes a new Circuit Court jurisdiction for the resolution of disputes in relation to multi-unit developments. It means that if such a dispute cannot be resolved by the parties concerned by means of mediation or other dispute resolution mechanism, the Court may, where it is satisfied that a right has been infringed or an obligation has not been discharged, make an order with a view to ensuring effective enforcement of the right or effective discharge of the obligation concerned. Such an order may include an order directing the developer to complete the development or an order transferring control of an owners' management company from a developer to the apartment owners where the Circuit Court is satisfied the developer has unreasonably refused to effect such a transfer. However, section 30 of the Act provides for restoration of companies that have been struck off the register for breaches of company law without the involvement of the courts where application is made in the pre-

scribed form before the expiration of 6 years from publication of the notice that the company was struck off the register. I should add that the taking in charge of estates is a matter for the relevant local authority and I am aware that the Department of the Environment, Community and Local Government has issued a guidance document to the local authorities on this matter.

Sexual Offences

369. **Deputy Denis Naughten** asked the Minister for Justice and Equality if he is satisfied with the level of compliance by persons who are subject to the requirements of Part 2 of the Sex Offenders Act 2001; the number of notifications received from other jurisdictions or from Interpol regarding the travel of convicted sex offenders to Ireland during the period 2009 to 2011; and if he will make a statement on the matter. [6199/12]

Minister for Justice and Equality (Deputy Alan Shatter): The Sex Offenders Act 2001 contains a comprehensive series of provisions aimed at protecting children and other persons. Part 2 of the Act makes persons convicted of a range of sexual offences subject to notification requirements. The provisions of the Act also extend to any offenders convicted abroad of the same range of sexual offences who enter the State. I am informed by the Garda authorities that there were 1,194 persons subject to the requirements of Part 2 of the Act on 1 February 2012.

All offenders subject to the notification requirements are monitored by the Sex Offender Management and Intelligence Unit (SOMIU) at the Garda National Bureau of Criminal Investigation. The Unit is supported by Garda Inspectors nominated in each Garda Division throughout the State. I am informed that the nominated Inspector in each Division has access to all necessary resources within his/her Division to assist him/her in carrying out his/her duties. Where An Garda Síochána becomes aware that an offender subject to the notification requirements has breached those requirements, appropriate action is taken. I am confident that the appropriate level of monitoring is carried out by An Garda Síochána and all breaches of the requirements which come to notice are pursued.

I am also informed that when the Garda authorities become aware that a convicted sex offender has left or is intending to leave the State, the Sex Offender Management and Intelligence Unit ensures that the relevant law enforcement agency in the country of destination is advised via Interpol.

An Garda Síochána receive, on a regular basis, notifications regarding convicted sex offenders who travel to this country. When SOMIU receives such a notification, it is recorded on the Garda PULSE system and the relevant nominated Divisional Inspector is notified as a priority. I am advised that the information requested regarding the number of such notifications received is not readily available and would require a disproportionate amount of time and resources to collate.

I can also inform the Deputy that my Department has been conducting a wide-ranging examination of the law on sexual offences and a review of the Sex Offenders Act 2001 formed an integral part of that examination. Arising from the review, I expect to bring forward legislative proposals, including a number of amendments to the 2001 Act, in the coming months.

Proposed Legislation

370. **Deputy Denis Naughten** asked the Minister for Justice and Equality his plans to reform the Irish Nationality and Citizenship Act 1956; and if he will make a statement on the matter. [6200/12]

Minister for Justice and Equality (Deputy Alan Shatter): I refer the Deputy to my reply below to Parliamentary Question No. 61 of 25 October 2011. The position is unchanged since then.

I have no plans at present to reform the legislation on citizenship and naturalisation beyond those changes contained in the Civil Law (Miscellaneous Provisions) Act, 2011.

My primary objective for legislative reform in the immigration area is to progress the Immigration, Residence and Protection Bill 2010 through the Oireachtas.

I will, of course, continue to keep the Act in question under review.

Northern Ireland Issues

371. **Deputy Dara Calleary** asked the Minister for Justice and Equality his response to the view of the Garda Commissioner and the Chief Constable of the PSNI, that the threat of dissident republican activity was severe; the steps he is taking to tackle this issue; and if he will make a statement on the matter. [38681/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am sure the House will join me in condemning all subversive groups and their activities. We should be clear that the so-called ‘dissident republicans’ are no more than criminal terrorists using violence in pursuit of their own, often personal, ends. They have no support in the wider community, North and South, for either their criminal activities or their violent methods.

Since early 2009 the threat level in Northern Ireland from these groups has been classified as severe. The threat faced on this island from these subversives is a shared threat and I can assure the House that the Gardaí continue to co-operate seamlessly with the PSNI in actively pursuing them. These groups have targeted the security forces in Northern Ireland, as the tragic deaths of PSNI Constables Ronan Kerr and Stephen Carroll and the murder of two British soldiers, Patrick Azimkar and Mark Quinsey, at Massarene Barracks attest. The House will be aware that there have also been a number of other attempted murders and other bomb attacks.

Operational policing co-operation is the responsibility of the Garda Commissioner and the Chief Constable of the PSNI and their respective forces. Both police chiefs have emphasised the close nature and the high quality of the ongoing co-operation between their forces and it has been instrumental in preventing attacks, combating criminality and saving lives. The two police forces operate a Cross-Border Policing Strategy, which covers areas including cross-Border investigations and operations, intelligence-sharing and security, ICT and emergency planning. Combating the subversive threat has always been an absolute priority for the Garda authorities and it remains so, even in the current economic climate. I can assure the Deputy, and the House, that the Government is committed to maintaining that high level of co-operation between the Gardaí and the PSNI.

I meet regularly with the Northern Ireland Justice Minister, David Ford, and with the Secretary of State for Northern Ireland, Owen Paterson, and there is also a close and ongoing working relationship between our officials. Indeed, by working together on matters of mutual concern and interest we can improve community safety for all the people on this island. We will continue, in co-operation with the authorities in Northern Ireland and Great Britain, to spare no effort to ensure that those criminal terrorists who seek to subvert the democratic will of the people will face the full rigours of the law.

Proposed Legislation

372. **Deputy Micheál Martin** asked the Minister for Justice and Equality when the legal advice about not being able to change the upward only rents became available to Government; if the commitment in the programme for Government is defunct; and if he will make a statement on the matter. [1945/12]

Minister for Justice and Equality (Deputy Alan Shatter): The Deputy will recall that in response to his request for clarification on the matter I wrote to him on 8 December last confirming that the Government had decided not to proceed with legislation to abolish upwards only rent reviews in existing commercial leases. The letter in question was written after the announcement in the Budget to that effect. That decision was taken on foot of consultations with the Attorney General, which made it clear that the proposed legislation gave rise to significant constitutional difficulties. It was also clear that any legislative proposal would require the payment of compensation to those whose property rights would be infringed if that proposal were to be compatible with Constitutional and European Court of Human Rights norms.

Consultations with the Attorney General commenced in March of last year and continued until November, when the relevant Government decision was taken. That decision was informed fully by the legal advice made available to Government by the Attorney General.

Independent International Commission on Decommissioning

373. **Deputy Micheál Martin** asked the Minister for Justice and Equality if it was his decision to donate documents from the Independent International Commission on Decommissioning to Boston College, USA; his views on this decision; and if he will make a statement on the matter. [3293/12]

Minister for Justice and Equality (Deputy Alan Shatter): I refer the Deputy to my reply to Questions Nos. 169 to 174, inclusive, of 26 January 2012. The position is as set out in that reply.

Proposed Legislation

374. **Deputy Derek Keating** asked the Minister for Justice and Equality his plans to introduce legislation to repeal the current bankruptcy legislation; and if he will make a statement on the matter. [5511/12]

Minister for Justice and Equality (Deputy Alan Shatter): The Deputy will be aware that, having obtained Government approval for urgent drafting by the Office of the Attorney General and Parliamentary Counsel, I published the text of the General Scheme of the Personal Insolvency Bill on 25 January 2012.

There is a requirement under the EU/IMF Programme of Financial Support for Ireland to publish the Bill in Quarter 1 of 2012 — since extended to end of April. The Bill will also fulfil the relevant commitment in the *Programme for Government*.

The Bill will provide for a new framework for settlement of debt and for personal insolvency. The proposed reform will consist of following main elements:

- a revised judicial process (bankruptcy) to provide for a 3 year period for automatic discharge from bankruptcy from the current 12 years.
- the introduction of a new non-judicial debt settlement process for unsecured debt only amounting to over €20,000 (Debt Settlement Arrangement).

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- the introduction of a new non-judicial debt settlement process for both secured and unsecured debt amounting to over €20,000 (Personal Insolvency Arrangement) (secured debt will primarily relate to property debt, be it residential, commercial and investment).
- the introduction of a new debt forgiveness process (Debt Relief Certificates) for low level indebtedness where the debtor has effectively no income and no assets and has unsecured debts amounting to up to €20,000, and
- the establishment of an Insolvency Service to operate the new arrangements.

I have referred the Heads of the Bill to the Joint Oireachtas Committee on Justice, Defence and Equality for its consideration.

This is a complex area of the law where a careful calibration is required between the rights of debtors and creditors. Legal considerations aside, the economic and financial impact of any policy changes to personal insolvency also require serious deliberation. These matters will continue to be examined by Government in the development of the Bill.

375. **Deputy Brendan Ryan** asked the Minister for Justice and Equality if there is any legislation in place to regulate cash for gold shops to ensure that all purchased gold has been sourced legally; if there are plans to introduce such legislation; and if he will make a statement on the matter. [6614/12]

Minister for Justice and Equality (Deputy Alan Shatter): The informal purchase of jewellery is not specifically regulated in criminal legislation; however the circumstances under which jewellery is being bought and/or sold may indicate the commission of certain offences, for example handling stolen property and/or possession of stolen property under sections 17 and 18 of the Criminal Justice (Theft and Fraud Offences) Act, 2001.

My Department is finalising a report on criminal justice aspects of the “Cash for Gold” trade and this report will be submitted to me shortly for consideration. Following consideration of the report I will make an assessment as to what, if any, action, legislative or otherwise, may be required. I will, in due course, make known the report’s findings and any proposals which may arise.

Garda Vetting of Personnel

376. **Deputy John O’Mahony** asked the Minister for Justice and Equality when a person (details supplied) in County Mayo will receive their Garda clearance; and if he will make a statement on the matter. [6638/12]

377. **Deputy John O’Mahony** asked the Minister for Justice and Equality when a person (details supplied) in County Mayo will receive their Garda clearance; and if he will make a statement on the matter. [6639/12]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 376 and 377 together.

I am informed by the Garda authorities that the Garda Central Vetting Unit has no record of vetting applications on behalf of the individuals concerned. In the circumstances, I can only suggest that the persons concerned seek clarification from the organisation submitting the applications.

Public Sector Staff

378. **Deputy Mary Lou McDonald** asked the Minister for Justice and Equality if he will provide a detailed breakdown of the number of public sector workers, including gardaí, who have availed of the Croke Park early retirement scheme including their grade and place of employment, that is Garda Station location, in tabular form. [6656/12]

Minister for Justice and Equality (Deputy Alan Shatter): I am taking the Deputy's question to refer to public servants who not having reached their minimum retirement age avail of Cost Neutral Early Retirement (CNER) and who also benefit from the provisions under the Financial Emergency Measures in the Public Interest (No. 2) Act 2009. This Act provides for the superannuation benefits of public servants who retire within a 'grace period' ending on 29th February 2012 to be unaffected by the pay reductions introduced for all public servants with effect from 1 January 2010 under that Act.

Details of all public servants in my Department and the agencies under my remit who have not exceeded minimum retirement age and who, since 1 January 2010, have retired under the CNER Scheme or have indicated their intention to retire under the Scheme before 29th February 2012 are set out in the table below:

Department/Agency	Place of Employment	Grade	No.	
Department of Justice and Equality and agencies staffed by the Department	Department Head Office	Assistant Secretary	1	
		Principal Officer	2	
		Assistant Principal Officer	10	
		Higher Executive Officer	4	
		Executive Officer	3	
		Staff Officer	1	
		Clerical Officer	3	
		Equality Authority	Assistant Principal	1
		Forensic Science Laboratory	Forensic Scientist	1
		Probation Service	Assistant Principal Probation Officer	1
	Senior Probation Officer		1	
	Probation Officer		1	
	Private Security Authority		Higher Executive Officer	1
	Irish Prison Service — non-discipline grade		Principal Officer	1
		Assistant Principal	1	
Higher Executive Officer		1		
Irish Prison Service	Cloverhill Prison	Prison Officer	2	
	An Garda Síochána	Charlestown, Co Cork	Garda	1
Clara, Co Offaly		Sergeant	1	
Phoenix Park		Sergeant	1	
Property Registration Authority (PRA)	PRA, Dublin	Examiner in Charge	1	
		Superintendent of Mapping	3	
		Assistant Principal	1	
		Higher Executive Officer	4	
		Executive Officer	3	
		Staff Officer	3	

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Department/Agency	Place of Employment	Grade	No.
Legal Aid Board	Dublin	Clerical Officer	2
		Managing Solicitor Grade II	1
		Managing Solicitor Grade I	1
		Solicitor	1
Courts Service	Dundalk	Clerical Officer	1
	Letterkenny	Mediator	1
	Nenagh	Managing Solicitor Grade II	1
	Naas	Service Officer	1
	Clonmel, Drogheda, Dublin, Galway, Tralee, Waterford	Clerical Officer	7
	Tralee	Staff Officer	1
	Carlow, Clonmel, Dublin, Galway, Kilkenny, Limerick, Monaghan, Tralee	Executive Officer	19
	Carlow, Dublin, Dundalk, Ennis, Limerick	Higher Executive Officer	12
	Clonmel, Dublin, Dundalk, Youghal	Assistant Principal	5
	Dublin	Principal Officer	3
	Dublin	General Solicitor	1
	Dublin	Stenographer	1

The following table sets out the number of public servants who have exceeded minimum retirement age during the period 1 January 2010 and 29th February 2012 and have retired or have indicated their intention to retire by 29th February 2012 as well as a small number of public servants whose retirement under the 2009 Incentivised Scheme of Early Retirement (ISER) was deferred to 2010:

Department/Agency	No.
Department of Justice and Equality and agencies staffed by the Department (including IPS non-discipline grades)	84
Irish Prison Service	342
An Garda Síochána	1,097
Property Registration Authority	22
Legal Aid Board	12
Courts Service	70
National Disability Authority	1

Citizenship Applications

379. **Deputy Dara Calleary** asked the Minister for Justice and Equality when a citizenship application will be completed in respect of persons (details supplied) in County Louth. [6672/12]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised by the Citizenship Division of the Irish Naturalisation and Immigration Service (INIS) that valid applications for certificates of naturalisation were received from the persons referred to by the Deputy in July, 2010.

The applications are at an advanced stage of processing. The persons concerned will be informed of my decision on their respective applications in due course.

The granting of Irish citizenship through naturalisation is a privilege and an honour which confers certain rights and entitlements not only within the State but also at European Union level and it is important that appropriate procedures are in place to preserve the integrity of the process.

Queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

Garda Strength

380. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality the number of gardaí that have availed of the early retirement scheme in County Donegal and their rank. [6681/12]

Minister for Justice and Equality (Deputy Alan Shatter): Members of An Garda Síochána who joined the force prior to 1 April 2004 may retire once they have served at least 30 years and they have reached 50 years of age. Members of An Garda Síochána who joined the Force on or after 1 April 2004 may retire once they have served at least 30 years and have reached 55 years of age. In both cases members must retire once they reach 60 years of age.

Members can avail of a Cost Neutral Early Retirement (CNER) Scheme under certain conditions.

I have been informed by the Commissioner that for the period 1 January 2012 to 29 February 2012, 1 Superintendent, 5 Sergeants and 4 Gardaí who have met the statutory requirements outlined above, will retire from the Force from the Donegal Division. I have been informed by the Garda Commissioner that no members availed of the CNER scheme in the Donegal Garda Division.

Departmental Bodies

381. **Deputy John O'Mahony** asked the Minister for Justice and Equality when a person (details supplied) in County Kildare will receive their payment under the criminal injury compensation scheme; the reason for the delay in payment; and if he will make a statement on the matter. [6690/12]

Minister for Justice and Equality (Deputy Alan Shatter): As the Deputy will be aware, the Criminal Injuries Compensation Tribunal is entirely independent in the matter of individual applications under the Scheme. However, in order to be of assistance in the matter, I have had enquiries made with the Tribunal on your behalf. I understand that the Tribunal is awaiting reports concerning the incident in which the applicant in question was injured and that as soon as the information required becomes available the Tribunal will be in a position to further process the application.

Passport Applications

382. **Deputy Brendan Griffin** asked the Minister for Justice and Equality if a passport will

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issue to a person (details supplied) in County Kerry; and if he will make a statement on the matter. [6698/12]

Minister for Justice and Equality (Deputy Alan Shatter): Irish Passports are issued by the Department of Foreign Affairs. However, I can inform the Deputy that I am advised by the Citizenship Division of the Irish Naturalisation and Immigration Service (INIS) that an application for a certificate of naturalisation was received from the person referred to by the Deputy in January, 2012.

The application is currently being processed with a view to establishing whether the applicant meets the statutory conditions for the granting of naturalisation and will be submitted to me for decision as expeditiously as possible.

The granting of Irish citizenship through naturalisation is a privilege and an honour which confers certain rights and entitlements not only within the State but also at European Union level and it is important that appropriate procedures are in place to preserve the integrity of the process.

Queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

Garda Deployment

383. **Deputy Michael Lowry** asked the Minister for Justice and Equality the position regarding Toomevara Garda station, County Tipperary; if he will address the concerns of the local community who fear that the retiring garda will not be replaced; the steps being taken to fill this position; and if he will make a statement on the matter. [6754/12]

Minister for Justice and Equality (Deputy Alan Shatter): The Deputy will be aware that the Commissioner, in consultation with his senior management team, is responsible for the detailed allocation of resources, including personnel, throughout the organisation and I have no function in that process. Notwithstanding this, I have been informed by the Garda Commissioner that the personnel strength of Toomevara Garda Station on 31 December 2011, the latest date for which figures are readily available, was 2. Toomevara Garda Station forms part of the Nenagh Garda District. The personnel strength of Nenagh Garda District on the same date was 60.

While there is no getting away from the reality that public expenditure and public service numbers have to be reduced in the context of the agreement with the EU and the IMF, it is our intention to maintain frontline services at the highest level possible.

Garda management will continue to closely monitor the allocation of resources, including transfers and retirements, in the context of crime trends, policing needs and other operational strategies in place on a District, Divisional and Regional level to ensure optimum use is made of Garda resources and the best possible Garda service is provided to the public.

Citizenship Applications

384. **Deputy Martin Heydon** asked the Minister for Justice and Equality when a decision will issue on an application for naturalisation in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [6810/12]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised by the Citizenship Division of the Irish Naturalisation and Immigration Service (INIS) that an application for a certificate of naturalisation was received from the person referred to by the Deputy in April, 2010.

The application is at an advanced stage of processing. The person concerned will be informed of my decision on her application in due course.

The granting of Irish citizenship through naturalisation is a privilege and an honour which confers certain rights and entitlements not only within the State but also at European Union level and it is important that appropriate procedures are in place to preserve the integrity of the process.

Queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

Firearms Licences

385. **Deputy Jonathan O'Brien** asked the Minister for Justice and Equality the number of firearms licences held throughout the State; if he will provide a geographic breakdown of the locations at which these licences are held; the quantity of firearms held by each individual holding a licence; the type and purpose of each firearm; and if he will make a statement on the matter. [6811/12]

Minister for Justice and Equality (Deputy Alan Shatter): As it has not been possible to compile the information requested by the Deputy in the time available, I have asked the Garda Commissioner for a report on the matter and will write to the Deputy when it becomes available.

Crime Statistics

386. **Deputy Jonathan O'Brien** asked the Minister for Justice and Equality the number of legally held firearms that have been reported stolen during each of the past five years; the number of these stolen firearms that were recovered; and if he will make a statement on the matter. [6774/12]

Minister for Justice and Equality (Deputy Alan Shatter): I have asked the Garda Commissioner for a report on the matter and I will write to the Deputy when it becomes available.

Firearms Licences

387. **Deputy Jonathan O'Brien** asked the Minister for Justice and Equality his plans to address recent Garda behaviour in the issuing of gun licences; and if he will make a statement on the matter. [6776/12]

Minister for Justice and Equality (Deputy Alan Shatter): I take it the Deputy is referring to a recent High Court case involving Judicial Reviews of decisions by Chief Superintendents in firearms cases. What was at issue were decisions by Chief Superintendents to refuse applications for licenses for high calibre handguns. That case was settled with no admission of wrongdoing on the part of the State but with an undertaking to consider applications afresh and give reasons to applicants where applications are turned down.

[Deputy Alan Shatter.]

In the light of issues which arose in those proceedings I sought a report from the Garda Commissioner. I have now received a detailed interim report. The Commissioner has indicated that he shares the concern expressed by the Judge in the case about the alteration of documents after proceedings had commenced and, in the first instance, has sought an explanation as to the circumstances in which this occurred.

In the case of the evidence given by another member of An Garda Síochána, the Commissioner has indicated that, while an issue did arise in relation to the completion of parts of the application forms, he is satisfied that the applications were decided in accordance with that person's understanding of the relevant firearms legislation, decisions were recorded in notifications to applicants, and those decisions were informed by understandable concerns of public safety in the light of the difficult situation concerning crime in his Division. The Commissioner points out that the parts of the forms in question are not a statutory requirement under the Firearms legislation and are geared towards the requirements of recording data on the PULSE system through the ticking of a number of boxes.

The Commissioner is addressing as a matter of urgency the whole process of firearms licensing and the administrative functions associated with it in the light of the outcome of those Court proceedings. The Commissioner has assured me that he, of course, accepts fully the desirability of application forms being completed fully and properly and has indicated that as part of that review he intends to remove any impediments being experienced by his Officers in achieving this. The Commissioner is to report to me again when he has completed that review.

Tragically, the House will have been reminded in recent days of the dangers which licensed firearms can pose for members of An Garda Síochána and others. For my part, I am determined to ensure that in the operation of the firearms licensing system, the question of public safety is paramount.

Garda Vetting of Personnel

388. **Deputy Ciarán Lynch** asked the Minister for Justice and Equality the number of Garda vettings carried out in each of the years 2008 to 2011; the number that were granted; the number that were declined in each of these years; the number of instances in which persons who were previously granted Garda clearance in this period submitted a secondary application; the overall cost of processing and dealing with each individual application; and if he will make a statement on the matter. [6789/12]

389. **Deputy Ciarán Lynch** asked the Minister for Justice and Equality his views on the Garda vetting process required of those applying to work with children and vulnerable adults with regard to the administrative inefficiencies that result from a person having to be vetted every time they transfer agencies in which they work, regardless of the brevity of the time period between the initial vetting and transferring organisations, which effectively creates a duplication of the process; and if he will make a statement on the matter. [6791/12]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 388 and 389 together.

There has been a substantial increase in the volume of vetting applications received by the Garda Central Vetting Unit (GCVU) over recent years. The number of applications processed by the GCVU for the years 2008 to 2011 are as follows:

2008	2009	2010	2011
218,404	246,194	291,938	315,100

The GCVU does not grant or decline to grant clearances. The position is that a registered organisation submits a vetting application on behalf of a prospective employee or volunteer. The application is signed by the latter. In response the GCVU issues a vetting certificate to the organisation. It is for the organisation alone to make the final decision about taking on the person as an employee or volunteer. The GCVU merely responds to the vetting request.

I am advised by the Garda authorities that details of the number of times an individual has had a vetting request made on his / her behalf is not readily available, since each application is considered new. In the circumstances, it would take an inordinate amount of Garda resources and time to provide information on the number of secondary applications. Furthermore, figures related to the cost of processing each application are not readily available and again it would take an inordinate amount of Garda resources and time to provide this information.

For the sake of clarity I would point out that Garda vetting certificates are issued to specified registered organisations in respect of a particular post or employment in response to a written request and with the permission of the person who is the subject of that request. Decisions on the suitability for the recruitment/engagement of the person concerned rest at all times with the recruiting organisation. All organisations registered for Garda Vetting are aware of the processing time frames for the receipt of Garda vetting and have been advised to factor this into their recruitment and selection process.

The Garda Vetting certificate is non-transferable. It is important to emphasise that it is a disclosure to the requesting, registered organisation of the position at the time when it is issued. Furthermore, non-transferability protects against the risk of fraud or forgery of such certificates and is a guarantee of the integrity of the vetting system.

Since I became Minister I have taken a particular interest in improving the Garda vetting process. In that regard a number of measures to ensure improvements in the time it takes for the processing of vetting applications were put in place. I remain very conscious of the need to keep the time required to obtain a vetting to the minimum possible.

I am informed by the Garda authorities that at present, there are approximately 8,000 vetting applications in the course of being processed and that the average processing time at the Garda Central Vetting Unit (GCVU) now is 2 weeks approximately. This is a substantial improvement on this time last year when there were 55,000 cases on hand and processing took 11 weeks.

This processing time can, nevertheless, be affected by seasonal fluctuations or the necessity to seek further information on particular applications which may result in the processing time exceeding the present average of 2 weeks.

Civil Partnership

390. **Deputy Dominic Hannigan** asked the Minister for Justice and Equality his plans to legislate for the rights of children whose parents are in a civil partnership; and if he will make a statement on the matter. [6847/12]

397. **Deputy Seán Kyne** asked the Minister for Justice and Equality if and when the legislative shortcomings of the Civil Partnership Act, which although a vitally important step in introducing equality and recognising the diverse composition of family units here, will be remedied to

[Deputy Seán Kyne.]

vindicate and realise the rights of non-biological parents and the children of families with same gender parents. [6910/12]

411. **Deputy Simon Harris** asked the Minister for Justice and Equality if his attention has been drawn to the lack of legal protection for the children of same-sex couples; and if he intends to legislate on this matter. [6938/12]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 390, 397 and 411 together.

The *Programme for Government* includes a commitment to amend the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010 to address any anomalies or omissions, including those relating to children. In this regard, the Law Reform Commission has made detailed recommendations in its Report on the Legal Aspects of Family Relationships. In particular, the Commission recommends that legislative provisions be introduced to facilitate the extension of guardianship (parental responsibility) to civil partners and step-parents either by agreement with the other parties who have parental responsibility for the child or by application to court. The Commission's recommendations are under consideration in my Department with a view to preparing legislative proposals.

Garda Transport

391. **Deputy Brendan Ryan** asked the Minister for Justice and Equality the criteria by which are marked patrol cars assigned to individual stations; if it is by number of gardaí per station, geographical area covered by the station or is there another or discretionary method; and if he will make a statement on the matter. [6850/12]

392. **Deputy Brendan Ryan** asked the Minister for Justice and Equality the number of marked patrol cars assigned to Skerries Garda station, County Dublin; if these cars are currently in working order; and if he will make a statement on the matter. [6851/12]

393. **Deputy Brendan Ryan** asked the Minister for Justice and Equality the number of marked patrol cars assigned to Lusk Garda station, County Dublin; if these cars are currently in working order; and if he will make a statement on the matter. [6852/12]

394. **Deputy Brendan Ryan** asked the Minister for Justice and Equality the number of marked patrol cars assigned to Balbriggan Garda station, County Dublin; if these cars are currently in working order; and if he will make a statement on the matter. [6853/12]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 391 to 394, inclusive, together.

Decisions in relation to the deployment of Garda resources, including transport, are a matter for the Garda Commissioner. In that context the efficient deployment of Garda vehicles within each Garda Division is a matter for the Divisional Officer in the light of operational requirements.

I am advised by the Garda authorities that the allocation of vehicles within each Garda District is continually monitored in the context of crime trends, the identified policing needs of the area concerned and the existing operational strategies in place, to ensure that the optimum policing service is provided to the community.

I am informed that there is currently one marked patrol car assigned to each of the Garda stations in Balbriggan, Skerries and Lusk. The marked patrol cars assigned to both Balbriggan

and Skerries are fully operational while the vehicle assigned to Lusk is undergoing a technical assessment.

Departmental Expenditure

395. **Deputy Seán Kenny** asked the Minister for Justice and Equality the overtime budget allocated to An Garda Síochána for the years 2008, 2009, 2010, 2011 and 2012; and if he will make a statement on the matter. [6867/12]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that the overtime budgets allocated to An Garda Síochána for the years 2008 to 2012 are detailed below:

Year	Overtime Allocation
2008	107,844,000
2009	80,000,000
2010	80,000,000
2011	62,210,000
2012	53,910,000

Garda Strength

396. **Deputy Seán Kenny** asked the Minister for Justice and Equality the number of gardaí by rank currently in the Garda Bureau of Fraud Investigation, the Garda National Bureau of Criminal Investigation and the Garda Technical Bureau; and if he will make a statement on the matter. [6868/12]

Minister for Justice and Equality (Deputy Alan Shatter): I have been informed by the Garda Commissioner that the personnel strength of the Garda Bureau of Fraud Investigation (G.B.F.I.), Garda National Bureau of Criminal Investigation (N.B.C.I.) and the Garda Technical Bureau broken down by rank, on 31 December 2011, the latest date for which figures are readily available was as set out in the table hereunder:

Unit	C/Supt	Supt	Insp	Sgt	Gda	Total
G.B.F.I.		1	5	15	49	70
N.B.C.I.	1	4	8	24	121	158
Tech Bureau			4	16	66	86

The Deputy will be aware that the Commissioner, in consultation with his senior management team, is responsible for the detailed allocation of resources, including personnel, throughout the organisation.

Question No. 397 answered with Question No. 390.

Questions Nos. 398 to 400, inclusive, answered with Question No. 69.

Garda Deployment

401. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the extent if any to which redeployment of personnel within the Garda Síochána will take place to ensure adequate policing in areas hardest hit by retirements from the force in the context of reductions

[Deputy Bernard J. Durkan.]

in strength accruing from the memorandum of understanding entered into by his predecessor; and if he will make a statement on the matter. [6924/12]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda Authorities that the total number of Garda retirements from the Force in the first two months of this year is expected to be around 300. To put that figure into context, in 2009 the number of retirements was 722, in 2010 it was 362, and last year it was 436.

As the Deputy will be aware, these reductions form part of a wider programme aimed at reducing the size of the public service, and will contribute to reducing expenditure and complying with the terms of the EU-IMF agreement. Of course, what will ultimately determine the sustainable level of Garda numbers is the level of budgetary provision that can be made for the Force, and the House will be conscious that difficult decisions will continue to have to be made, right across the public sector, in order to bring our public finances back into balance.

The Deputy will be aware that the Commissioner, in consultation with his senior management team, is responsible for the detailed allocation of resources, including personnel, throughout the organisation. Garda management closely monitors this allocation of resources, including transfers and retirements, in the context of crime trends, policing needs and other operational strategies in place on a District, Divisional and Regional level to ensure optimum use is made of Garda resources and the best possible Garda service is provided to the public.

Garda Strength

402. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the total number of vacancies at all ranks awaiting to be filled at the present time; the extent to which such posts are to be filled in the current year; and if he will make a statement on the matter. [6925/12]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda Authorities that the personnel strength of An Garda Síochána on 31 December 2011, the latest date for which figures are readily available, was 13,894 broken down by rank as per the following table:

An Garda Síochána on 31 December 2011

Commissioner	1
D/Commissioner	2
A/Commissioner	7
C/Superintendent	37
Superintendent	149
Inspector	319
Sergeant	2,024
Garda	11,355
Total	13,894

As the Deputy may be aware, I today secured Cabinet approval for the appointment of 2 Assistant Garda Commissioners, 8 Chief Superintendents and 23 Superintendents, a total of 33 appointments to senior Garda ranks. All of the consequential vacancies at Sergeant and Inspector ranks will also be filled.

I was very glad to secure the agreement of my colleague, the Minister for Public Expenditure and Reform, and the Cabinet as a whole for such a significant number of appointments. In

seeking these promotions, I was conscious of the need to enable the Garda Commissioner to fill key positions in the senior ranks, and to maintain both the investigative and also the management and supervisory capacity of the Force.

With clarity now emerging on the final number of retirements expected by the end of this month, I will be discussing with the Minister for Public Expenditure and Reform the case for filling outstanding vacancies in the senior ranks.

Organised Crime

403. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the number of prosecutions taken against criminal gangs or members thereof in each of the past four years to date; the number of court appearances; the number of convictions; the number of cases dismissed or struck out; and if he will make a statement on the matter. [6926/12]

Minister for Justice and Equality (Deputy Alan Shatter): The Deputy will appreciate that membership of organised crime gangs tends to be fluid and offences committed by members of criminal gangs may or may not be connected with an individual's membership of such gangs.

It is therefore not feasible to provide the Deputy with the particular information sought.

However, the Deputy will be aware that the Criminal Justice (Amendment) Act 2009, which entered into force on 23 July 2009, introduced a number of provisions which strengthened the law dealing with organised crime.

Since the enactment of that legislation on 23 July 2009, up to 31 January, 2012, I am advised by the Garda authorities that the provisions of the Act have been used on 160 occasions where arrests have been made relating to organised crime.

In the same period, eight individuals have been charged under the legislation, six under section 72 of the Criminal Justice Act 2006, as inserted by section 6 of the Criminal Justice (Amendment) Act 2009 (participating in organised crime), and two under section 71A of the Criminal Justice Act 2006, as inserted by section 5 of the Criminal Justice (Amendment) Act 2009 (directing a criminal organisation). In addition, a number of investigation files are currently with the Law Officers awaiting directions.

Crime Prevention

404. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the extent to which recidivism has been studied with particular reference to crime prevention and or rehabilitation; the extent to which issues arising from such studies have been implemented in each of the past four years to date in 2012; and if he will make a statement on the matter. [6927/12]

Minister for Justice and Equality (Deputy Alan Shatter): The Irish Prison Service facilitated a major study of prisoner re-offending by the UCD Institute of Criminology, the findings of which were published in May, 2008. The study found that 27.4% of released prisoners were serving a new prison sentence with one year. This rose to 39.2% after two years, 45.1% after three years, and 49.2% after four years. The fact that over 50% of prisoners do not re-offend within four years of release compares well internationally.

The Prison Service provides a range of rehabilitative programmes with the dual purpose of providing prisoners with purposeful activity while serving their sentences and encouraging and equipping them to lead productive lives on release. These interventions are important in addressing offending behaviour, drug and alcohol addiction, missed educational and vocational opportunities, anger management, and self-management in the interest of encouraging positive personal development in prisoners, and preparing them for re-integration and resettlement on

[Deputy Alan Shatter.]

release from custody. These programmes are available in all prisons and all prisoners are eligible to use the services.

The Probation Service is in the process of conducting initial research in order to measure the recidivism rates of offenders under their management. Preliminary findings from the work done to date indicate that the percentage of offenders who did not commit an offence in the 12 and 24 month periods after their initial conviction is high. However, this is a complex area of study and this research needs to be validated further before exact figures and findings can be published.

Crime prevention and reduction is a core part of the mission of An Garda Síochána. The Force attaches great importance to working in co-operation with the community, those directly affected by crime, and relevant Government Departments and Agencies. There are dedicated Crime Prevention Officers (CPOs) within each Garda Division who are trained to encourage, promote and advise on crime prevention.

At local level, inter-agency co-operation includes in particular the work of Joint Policing Committees which are a forum to consult, discuss and make recommendations on policing matters arising in their area, including the prevention of crime. The Programme for Government makes a commitment to build on existing community policing partnerships and forums to enhance trust between local communities and their Gardaí. Accordingly, my Department has commenced a review of how the Committees have operated since their establishment, to be followed by a broader consultation process with the aim of seeing how their operation might be improved. My Department is in contact with local authorities in this regard.

More generally, work is underway in my Department on the development of a White Paper on Crime following an extensive consultation process with a broad range of Governmental and non-Governmental agencies and the public. It is intended that the White Paper will incorporate a framework National Anti-Crime Strategy which will reflect and respond to issues raised during the consultation process, including issues relating to crime prevention and offender rehabilitation initiatives. The White Paper is expected to be completed this year.

Prisoner Education Service

405. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if he will indicate out of the total number of prisoners serving sentences of three years or more, the number who apply for educational or training scheme places in each of the prisons; the number of such prisoners approved for such programmes; the number refused for whatever reason; the extent to which such rehabilitative programmes are likely to be made available to all prisoners serving such sentences in the future; and if he will make a statement on the matter. [6928/12]

Minister for Justice and Equality (Deputy Alan Shatter): I can advise the Deputy that out of the 3,578 prisoners serving sentences during the week ended Friday 16 December 2011, that 1,683 or 47% of prisoners participated in education placements. It is not possible to separate out how many were serving 3 years or more from this number as this would require a disproportionate and inordinate amount of staff time and effort that could not be justified where there are other significant demands on resources.

Prisoners are encouraged to participate in education activities and waiting lists, where they occur, are generally for the more popular programmes. Where demand exists for specific courses every effort is made to facilitate prisoners in the shortest period of time.

Educational services are available at all institutions and are provided in partnership with a range of educational agencies including notably the VECs and Public Library Services. The Department of Education and Skills provides an allocation of 220 whole-time teacher equivalents. Literacy, numeracy and general basic education provision is the priority and broad

programmes of education are made available which generally follow an adult education approach. An average of 38% of the prison population attended classes in 2011.

A significant expansion and development of vocational training programmes has taken place in recent years and there are now over 100 workshops in place in our prisons capable of catering for in excess of 800 prisoners each day. There was a significant increase in the number of prisoners who participated in accredited vocational training courses in 2010, the latest year for which figures are available, when 874 prisoners attended such courses.

I can advise the Deputy that the Irish Prison Service is in the process of drafting a new Strategic Plan 2012-2014 which will be presented to me, by the Director General, in the first week of April. The development of prisoner education will form a central part of this Strategy.

The Irish Prison Service provides a range of other rehabilitative programmes that include healthcare, psychiatric, psychological, counselling, welfare and spiritual services. These programmes are available in all prisons and all prisoners are eligible to use the services.

Prisoner Releases

406. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the total number of prisoners serving sentences of three years or more; the number of such prisoners who have been released on day, compassionate or supervised or other release in the same period; the number of applications made, granted and refused in that time; and if he will make a statement on the matter. [6929/12]

Minister for Justice and Equality (Deputy Alan Shatter): I can inform the Deputy that on 31 January 2012 there were 3,590 sentenced persons in custody; of this 2,326 persons were serving sentences of 3 years or more. On the same date, there were 839 persons on temporary release; this figure includes 53 persons who were participating in the Community Return Programme.

It is not possible to provide the Deputy with the other information requested as this would require the manual examination of records. Such an examination would require a disproportionate and inordinate amount of staff time and effort and can not be justified in current circumstances where there are other significant demands on resources. It is anticipated though that the new Prison Information Management System (PIMS) which will shortly become “live”, will be able to provide such data in the future.

Temporary Release of Prisoners

407. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if he will indicate the number of prisoners that have absconded while on release or otherwise in each of the past four years to date in 2012; the number still at large if any; and if he will make a statement on the matter. [6930/12]

Minister for Justice and Equality (Deputy Alan Shatter): I can inform the Deputy that the information requested relating to the years 2008 to 2010 is outlined in the following table:

Year	Number of Absconders
2008	109
2009	138
2010	109
Total	356

[Deputy Alan Shatter.]

As of 6 February 2012, forty out of the 356 prisoners referred to above remained unlawfully at large. Figures relating to the number of persons who absconded from custody in 2011 are currently being compiled for the Annual Report and will be forwarded to the Deputy as soon as they are available.

It should be noted that the vast majority of prisoners who abscond, do so from the two open centres, Shelton Abbey and Loughan House. The profile of open centres generally includes, either low risk offenders who are serving short sentences for minor offences or offenders nearing the end of longer sentences, whose transfers have been approved, as part of a sentence management programme. In most of these cases, the offender is very much at the lower end of the risk to the public spectrum. The Gardaí are informed when prisoners abscond and have the power to detain, arrest, and return such persons to prison.

Missing Persons

408. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the total number of persons listed as missing and reported as such in each of the past five years to date in 2012; and if he will make a statement on the matter. [6931/12]

410. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the total number of women and children reported and listed as missing in this country at present; the extent to which investigations are on-going in such cases; and if he will make a statement on the matter. [6933/12]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 408 and 410 together.

I am informed by the Garda authorities that the following table sets out the number of persons reported missing in each of the years from 2007 to 2011 and who remain untraced, up to and including 3 February 2012:

Number of missing persons reported and who remain untraced, 2007 to 2011 and in 2012 up to 3 February

Year	Number *
2011	46
2010	24
2009	64
2008	38
2007	51

*Figures provided are operational and liable to change

I am further informed that 44 women and 319 children were reported missing in the State from 2000 to 2011 who remain untraced as at 2 February, 2012.

All incidents where persons have been reported missing remain under investigation until such time as the person is located. An Garda Síochána reviews missing persons cases on a regular basis. The District Officer (Superintendent) in the area where a person has gone missing takes direct responsibility for all investigations and searches carried out. Local investigation teams are appointed by the District Officer, and all means necessary, including the services of specialist units, are deployed to assist in these investigations, as considered appropriate. The services of Interpol and Europol can also be availed of during such investigations, if necessary.

The Garda Missing Persons Bureau, which is responsible for all data relating to missing persons, provides expert assistance and advice to District Officers in all high risk missing person cases. The Garda authorities are satisfied that adequate resources, including staff and technology, are in place to deal with this issue and investigations are carried out in line with international best practice.

Garda Investigations

409. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the total number of cold cases currently under examination; the extent to which progress is being made; and if he will make a statement on the matter. [6932/12]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that the Serious Crime Review Team is currently reviewing twenty-seven cases. In fifteen of these cases review reports have been drafted and forwarded to the senior investigating officers in charge of each case.

I am further informed that a trial is scheduled to commence in March, 2012 in respect of one case. The remaining eleven reviews are ongoing and are at varying stages of completion.

Question No. 410 answered with Question No. 408.

Question No. 411 answered with Question No. 390.

Crime Levels

412. **Deputy Seán Kenny** asked the Minister for Justice and Equality the crime statistics in respect of a location (details supplied) for 2010 and 2011; and if he will make a statement on the matter. [6943/12]

Minister for Justice and Equality (Deputy Alan Shatter): Following the submission in 2004 of a report and recommendations by an expert group on crime statistics, it was decided that the compilation and publication of crime statistics should be taken over by the Central Statistics Office, as the national statistical agency, from An Garda Síochána. The Garda Síochána Act 2005 consequently makes provision for this and the CSO has established a dedicated unit for this purpose. Following the setting up of the necessary technical systems and auditing of the data from which the statistics are compiled, the CSO is now compiling, publishing and responding to queries regarding recorded crime statistics.

I have requested the CSO to provide statistics directly to the Deputy.

Garda Retirements

413. **Deputy Dessie Ellis** asked the Minister for Justice and Equality the number of gardaí who have availed of the Croke Park early retirement scheme from stations in Santry, Whitehall, Finglas, Cabra and Ballymun, Dublin. [6944/12]

Minister for Justice and Equality (Deputy Alan Shatter): Members of An Garda Síochána who joined the force prior to 1 April 2004 may retire once they have served at least 30 years and they have reached 50 years of age. Members of An Garda Síochána who joined the Force on or after 1 April 2004 may retire once they have served at least 30 years and have reached 55 years of age. In both cases members must retire once they reach 60 years of age.

[Deputy Alan Shatter.]

Members can avail of a Cost Neutral Early Retirement (CNER) Scheme. I have been informed by the Garda Commissioner that no members availed of this scheme in the stations mentioned by the Deputy.

Army Barracks

414. **Deputy Jonathan O'Brien** asked the Minister for Defence if he will clarify the future of Custume Barracks in Athlone, County Westmeath, as the headquarters for the 4th Western Brigade; and if he will publish the recommendations made by the Chief of Staff of the Defence Forces and the Secretary General of his Department with regards the reorganisation of the Defence Forces. [6249/12]

416. **Deputy Robert Troy** asked the Minister for Defence if the headquarters of the Western Brigade will remain in Custume Barracks, Athlone, County Westmeath, indefinitely. [6652/12]

Minister for Defence (Deputy Alan Shatter): I propose to take Questions Nos. 414 and 416 together.

Arising from the Comprehensive Review of Expenditure, the Government decided to maintain the strength of the Permanent Defence Force at 9,500 personnel. In response to the revised strength ceiling, a major re-organisation of the Defence Forces, including the Reserve Defence Force, has been initiated. This will encompass a reduction in the number of Army Brigades from the current three to two. I can confirm that no further barrack closures are envisaged as part of this process. The primary focus of the re-organisation is to maintain operational outputs and capabilities to best effect, within a reduced strength.

I have asked the Chief of Staff and the Secretary General of the Department of Defence to bring forward detailed proposals for my consideration. This will include proposals regarding territorial areas of responsibility. I anticipate that this work will take some months to complete. You will appreciate that in advance of my receipt and subsequent consideration of the proposals, I will not be commenting on potential future organisational matters. As the options for consideration are still being formulated, the question regarding publication of recommendations does not arise at this stage.

Defence Forces Recruitment

415. **Deputy Pádraig Mac Lochlainn** asked the Minister for Defence if he will confirm if the Defence Forces will be accepting new recruits in 2012; and the options available to those seeking to join the Defence Forces in the near future. [6261/12]

Minister for Defence (Deputy Alan Shatter): The Government has decided to accept my recommendations that the strength of the Permanent Defence Force will be maintained at 9,500. I believe that this is the optimum level required to fulfil all roles assigned by Government. I am advised by the Military Authorities that the strength of the Permanent Defence Force at 31 December, 2011, the latest date for which details are available, was 9,438 comprising 7,650 Army, 791 Air Corps and 997 Naval Service.

It is my intention that targeted recruitment will continue in 2012, within the resource envelope allocated to Defence, so as to maintain the Government approved strength of the Defence Forces.

The Permanent Defence Force is not at present seeking applications for General Service Enlistment. If a decision is taken to hold a competition in 2012, details will be available on the Defence Forces website *www.military.ie*.

Question No. 416 answered with Question No. 414.

Army Barracks

417. **Deputy Jonathan O'Brien** asked the Minister for Defence when the decision to close Clancy Barracks, Dublin, was approved by him; when the offer for sale by public tender was issued; the number of bids received; when the preferred tender was accepted; when the sale was completed; and if he will make a statement on the matter. [6669/12]

Minister for Defence (Deputy Alan Shatter): On 15 July 1998 the then Government approved a programme of closure and sale of six barracks, including Clancy Barracks, which were considered surplus to military requirements. Clancy Barracks was advertised by the selling agents, Hamilton Osborne King, for sale by public tender on 14 June 2001. Two bids were received, both of which were considered too low to permit acceptance and the property remained on the open market.

In June, 2002 the Department accepted an offer from Florence Properties Ltd for the purchase of Clancy Barracks in the sum of €25.4 million, following detailed consideration of the matter and receipt of confirmation from the selling agents that no other party which expressed an interest in the property was prepared to make a higher bid. The sale of the barracks to Florence Properties Ltd. was completed on 26 March 2004.

Medicinal Products

418. **Deputy Aengus Ó Snodaigh** asked the Minister for Defence if he will acquire all written documentation provided to Defence Forces personnel relating to Lariam, either prior to or at the time of drug prescription, prior to deployment, while overseas, or when a suspected adverse reaction occurred, and enter these documents into the record of Dáil Éireann; if he will ensure that the information provided covers both current Defence Forces documentation and all historical documentation provided to personnel since Lariam was first introduced; and if he will specify the time period of use for each document, in view of the fact that there have been significant changes to the Lariam safety profile during the period and that personnel who became ill after taking Lariam served at different times on different missions and in different countries. [6763/12]

Minister for Defence (Deputy Alan Shatter): I am advised by the Military Authorities that the first major mission on which Lariam was prescribed was the mission to Eritrea in 2001. Written documentation relating to the drug was provided to Defence Forces personnel. I have asked the Military authorities to compile the information concerned and will revert to the Deputy when it becomes available.

Army Barracks

419. **Deputy Willie Penrose** asked the Minister for Defence the steps he has taken to provide a training location for the 54th Reserve Field Artillery Regiment, who are discommoded as a result of his decision to close Columb Barracks, Mullingar, County Westmeath; if he will take steps to reassure the Reserve Defence Force that it has a future in the plans that are currently being formulated as part of the review of the Defence Forces; and if he will make a statement on the matter. [6889/12]

Minister for Defence (Deputy Alan Shatter): I have initiated a major reorganisation of the Defence Forces, which will include a reduction from three Army Brigades to two. I have requested the Chief of Staff and the Secretary General to bring forward detailed proposals

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which will include proposed timeframes for implementation. This reorganisation will necessarily encompass the Reserve Defence Force, including Permanent Defence Force staff. The Steering Committee undertaking a Value for Money Review of the Reserve Defence Force will now consider the way ahead in light of the wider re-organisation. Any recommendations regarding the future plans for the Reserve must dovetail with those for the overall Defence organisation.

My Department is in the process of securing alternative accommodation for the Reserve Unit in Mullingar. To this end, an advertisement is being placed in the local newspapers seeking tenders for the provision of such accommodation.

420. **Deputy Denis Naughten** asked the Minister for Defence if he is satisfied that capacity is available in Custume Barracks, Athlone, County Westmeath, to cater for additional personnel; and if he will make a statement on the matter. [6890/12]

Minister for Defence (Deputy Alan Shatter): There is sufficient accommodation in Custume Barracks, Athlone to provide for personnel relocating from Cavan and Mullingar who choose to live in barracks (Single Living In). These personnel will be accommodated in the separate male and female billets blocks currently situated within Custume Barracks. Mess, dining and other welfare facilities will also be available to these personnel from existing facilities at the barracks. Work related accommodation will also be put in place before personnel relocate.

Grant Payments

421. **Deputy John O'Mahony** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Mayo will receive their REP scheme payment; and if he will make a statement on the matter. [6208/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named commenced REPS in November 2008 and received payments for the first three years of their contract.

REPS 4 is a measure under the current 2007-13 Rural Development Programme and is subject to EU regulations which require detailed administrative checks on all application to be completed before any payments can issue. In the course of the administrative checks a discrepancy was discovered between the Single Payment Scheme application for 2011 and the REPS 4 agri-environmental plan. This discrepancy has now been resolved and the 75% payment amounting to €3,168.26 issued on 3 February 2012. The 25% balancing payment of €1,056.08 will also issue shortly.

422. **Deputy Jim Daly** asked the Minister for Agriculture, Food and the Marine the position regarding agri-environment options scheme payments in respect of a person (details supplied); and if he will make a statement on the matter. [6210/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named was approved for participation in the Agri-Environment Options Scheme with effect from the 1 November 2010.

Under the EU Regulations governing the Scheme and other area-based payment schemes, a comprehensive administrative check, including cross-checks with the Land Parcel Identification System, have to be completed before any payment could issue. During these checks, queries arose in relation to the ownership of one parcel of land. This issue has been resolved and payment in respect of 2010 will issue shortly. Payment in respect of 2011 are subject to a similar

administrative checking process which includes verification of capital investment through checks on receipts. These checks have been finalised and the claim will be processed for payment once the 2010 payment has issued.

423. **Deputy John McGuinness** asked the Minister for Agriculture, Food and the Marine if the issues relevant to the single farm payment due to a person (details supplied) in County Kilkenny have been resolved; if this case will be reviewed; and if he will make a statement on the matter. [6238/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The payment in question was made to the person named on 14 April 2011. The payment was calculated on the basis of the SPS Entitlements held; i.e. the person named had 24.47 entitlements, with a unit value of €8.90.

There was no payment due to the person named under the 2011 Single Payment Scheme as the person named did not submit an application.

I have arranged that a comprehensive letter will issue to the person named, outlining his involvement in the Single Payment Scheme, since its inception, to date. The Deputy will be aware, from replies to previous PQs, of some of the issues concerned.

424. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine the reason for the delay in digitising maps for a person (details supplied) in County Galway; when it is likely that this digitisation will be complete; when payments due will issue; and if he will make a statement on the matter. [6268/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2011 Single Payment Scheme was received from the person named on 13 May 2011, processing of which has recently been finalised, thereby allowing payment to issue directly to the nominated bank account of the applicant in the coming days.

Departmental Schemes

425. **Deputy Michael Moynihan** asked the Minister for Agriculture, Food and the Marine the number of farmers in County Offaly who will be affected by the announced reduction in the disadvantaged areas scheme; the number of farmers in County Offaly affected by reductions in the REP scheme; and the projected loss of income to the county as a result. [6278/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): It is widely recognised that the Disadvantaged Areas Scheme is a very important one for this country, as the total area designated as disadvantaged is almost 75% of Ireland's total land area. From an economic perspective, the Scheme is particularly significant, contributing to the support of in excess of 100,000 Irish farm families, whose ability to farm is restricted by the physical environment and, in particular, the impact of the prevailing wet cold climatic conditions. The Scheme, which is co-funded by the EU, is an integral part of Ireland's Rural Development Plan, 2007/2013, and as such, any proposed change to Scheme criteria requires the agreement of the EU Commission. In this regard, therefore, the changes announced in the context of the recent Budget have been submitted to Brussels; the Commission's response is expected shortly.

The budgeted expenditure under the 2012 Scheme will be reduced from €220 million to €190 million and, in order to achieve the €30 million saving in expenditure, it is proposed to introduce specified changes to the Scheme eligibility criteria for 2012. This will be achieved by making technical adjustments to the Scheme criteria to ensure that the aid payment is focused on farmers, whose farming enterprises are situated exclusively in Less Favoured Areas and

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who are making a significant contribution to achieving the objectives of the Scheme. It is not possible to give a county by county breakdown at this stage.

The savings will be achieved without the need to reduce the existing rates of aid and, in addition, there will also be no reduction in the maximum area payable — 34 hectares. The proposed changes are designed to ensure that the payments under the Scheme are focused on those farmers who (i) are farming exclusively in Disadvantaged Areas, (ii) make a significant contribution to the maintenance of a viable rural community and (iii) contribute to the enhancement of the environment.

With the intention of targeting those farmers who are farming exclusively in Disadvantaged Areas, it is proposed that digressive payments will apply for farmers whose holdings consist of land situated in both Disadvantaged Areas and non-Disadvantaged Areas.

I remain committed to supporting farmers who choose to farm to environmentally friendly practices and to ensuring that these farmers are rewarded for their efforts. However, given the state of the public finances, I had no option but to announce a 10% cut in the rate of payment to existing REPS participants, including 717 farmers participating in REPS 4 in Co Offaly. The cut, which will apply to 2012 payments onwards is subject to the approval of the Commission. I am not yet in a position to indicate how the change will affect applicants on an individual basis or impact on the distribution of payments at county level.

Grant Payments

426. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the position regarding an installation aid application in respect of a person (details supplied); and if he will make a statement on the matter. [6317/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Young Farmers' Installation Scheme was suspended for new applications on 14 October 2008. As the application concerned was received after that date, it was not processed by my Department.

Harbours and Piers

427. **Deputy Dara Calleary** asked the Minister for Agriculture, Food and the Marine when an application for funding for a new slipway (details supplied) in County Mayo will be processed. [6344/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Kilcummin Slipway is owned by Mayo County Council and responsibility for its repair and maintenance rests with the Local Authority in the first instance.

My Department has received an application from Mayo County Council for funding for a total of 26 projects. Kilcummin slipway has been identified as the fourth priority.

The Fishery Harbour and Coastal Infrastructure Development Programme for 2012 is currently under consideration and my Department will give full consideration to this request from Mayo County Council in the context of available Exchequer funding and overall national priorities.

Sugar Industry

428. **Deputy Tom Barry** asked the Minister for Agriculture, Food and the Marine if a company (details supplied) received €50 million specifically for the provision of former workers' pensions upon the cessation of sugar production at the Mallow plant. [6346/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): As part of the reform of the EU sugar regime in 2006, a temporary scheme for the restructuring of the sugar industry, was introduced with the aim of reducing EU sugar production in order to comply with WTO and other international obligations. The scheme provided an incentive for sugar processors to renounce sugar quota and dismantle the associated sugar processing plant and it provided compensation for affected stakeholders. Greencore, the sole Irish sugar processor and holder of the Irish sugar quota, decided to avail of this scheme and accordingly the company renounced the quota and dismantled the last remaining sugar factory at Mallow in compliance with the conditions of the scheme.

The total compensation package negotiated in November 2005 in the context of the reform of the EU sugar regime, as modified in 2007, was worth €353m to Ireland, made up of €220m to beet growers, €6 million to machinery contractors and €127 million to Greencore plc. The beet growers' share was made up of restructuring aid of €53 million, diversification aid of €44 million and €123 million via the Single Farm Payment. All elements of the restructuring aid package have been paid in full.

A High Court judgement in 2007 quashed the original Government decision on the percentage of aid to be reserved for growers and contractors. The ruling also stated that the EU Regulations do not empower the Member State authorities to direct how the restructuring aid is to be applied by the processor. Therefore, the Deputy will appreciate I have no remit in how the aid was allocated by the processor.

429. **Deputy Tom Barry** asked the Minister for Agriculture, Food and the Marine if attempts can or will be made to access the remaining processors' fund finances to assist with the re-establishment of sugar production here. [6347/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): As part of the reform of the EU sugar regime in 2006, a temporary restructuring scheme was introduced with the aim of reducing EU sugar production in order to comply with WTO and other international obligations. The scheme provided an incentive for sugar processors to renounce sugar quota and dismantle the associated sugar processing plant and it provided compensation for affected stakeholders. Greencore, the sole Irish sugar processor and holder of the Irish sugar quota, decided to avail of this scheme and accordingly the company renounced the quota and dismantled the last remaining sugar factory at Mallow in compliance with the conditions of the scheme. This was a commercial decision taken by the Company having regard to the deteriorating market situation.

The total compensation package negotiated in November 2005 in the context of the reform of the EU sugar regime, as modified in 2007, was worth €353m to Ireland, made up of €220m to beet growers, €6 million to machinery contractors and €127 million to Greencore plc. The beet growers' share was made up of restructuring aid of €53 million, diversification aid of €44 million and €123 million via the Single Farm Payment. All elements of the Restructuring Scheme have now been implemented, not just within Ireland but across the EU.

Post reform production is now concentrated in 18 Member States. The present regime runs from 1 September 2006 to the 30 September 2015. There is no mechanism under the present EU Regulations which would allow for the re-instatement of the sugar quota for the growing of sugar beet in Ireland for the production of sugar.

Notwithstanding the current legal limitations, I have strongly supported the abolition of the EU sugar quota regime from September 2015, as part of the CAP reform discussions which are currently underway in the EU Council of Ministers. I also raised the issue with EU Commissioner for Agriculture, Mr Dacian Ciolos during his recent visit to Ireland. In this regard, I have also met in 2011 with two separate groups here who have conducted feasibility studies,

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into the possibility of establishing a sugar/bioethanol facility. At both meetings I stated that any venture to develop a combined sugar/bioethanol production facility would have to be a commercial proposition, financed in total by investors and interested parties and make sound economic sense in order to be viable.

Grant Payments

430. **Deputy Tom Hayes** asked the Minister for Agriculture, Food and the Marine if payment has issued to a herdowner (details supplied) in County Kilkenny; and if he will make a statement on the matter. [6435/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application was received on 23 December 2010 requesting the transfer of 15.25 Single Payment entitlements from the deceased person named to the first person named under the 2011 scheme year.

Following communication from the Transfer of Entitlements section, relevant documents were requested and received. The final documents were received on 23 January 2012 and the transfer of entitlements has now been processed. Payment will issue shortly to the first person named.

State Agencies

431. **Deputy Noel Harrington** asked the Minister for Agriculture, Food and the Marine the position regarding an application by the BIM regional training centre in Castletownbere, County Cork, for the appointment of a suitable qualified captain as an instructor for their training courses; and if he will make a statement on the matter. [6519/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): BIM is an independent statutory body and the main provider of vocational training to the seafood industry and hence policy in this regard is a matter for the Agency. BIM has advised that, as an interim measure, it has sought to secure instructors on a service supply basis on the Government's eTenders site and an instructor on this basis has been secured for the Greencastle Training school. The permanent filling of these positions, which has been sought by BIM, is being examined in the context of BIM's Employment Control Framework target and requires the approval of the Minister for Public Expenditure.

Grant Payments

432. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine the number of farmers in County Galway who are still awaiting their 2011 single payments and disadvantaged area payments; and if he will make a statement on the matter. [6753/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The situation under the Single Payment Scheme nationally is that the vast majority of applicants have received their payment. In respect of applicants from County Galway, the position is as set out in the following tabular statement:

County	Applications	Number Paid	To be paid	Amount paid
Galway	11,835	11,722	113	€79,957,549

There are outstanding errors on the applications of the 113 farmers who have yet to be paid; such error cases continue to be cleared on an ongoing basis, as soon as satisfactory responses are received from the applicants concerned.

There is a similar situation nationally in respect of the Disadvantaged Areas Scheme where the vast majority of applicants have also received their payment. Details in respect of County Galway are as follows:

County	Applications	Number Paid	Not yet paid	Amount Paid
Galway	12,384	11,866	518	€25,641,095

Again, error cases continue to be cleared on an ongoing basis, as soon as satisfactory responses are received from the applicants concerned. However, of the 518 outstanding cases, it is likely that many of these will ultimately prove not eligible for payment as they will not meet the stocking density minimum requirement of 0.15 livestock units per hectare.

433. **Deputy James Bannon** asked the Minister for Agriculture, Food and the Marine the reason animals belonging to a person (details supplied) in County Longford have been deemed ineligible on appeal for payment under the suckler welfare scheme 2009, in view of the fact that they were sold just one hour after the weaning date, 13 days and 11 hours, in a genuine miscalculation in relation to dates; and if he will make a statement on the matter. [6826/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named registered 24 beef breed calves in 2009. Payment has issued in respect of 19 animals. The five remaining animals were rejected as the calves were not retained on the holding for the required two weeks following the weaning date and the person named was notified of this in a letter dated 20 December 2011. The applicant replied on 04/01/2012 requesting a review of this decision. The original decision was upheld and the applicant was advised of his right to appeal to the Agriculture Appeals Office where an appeal has been recently received.

434. **Deputy Tom Fleming** asked the Minister for Agriculture, Food and the Marine when a REPS 4 payment will issue in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [6869/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named commenced REPS 4 in January 2009 and received payments for the first two years of the contract period. REPS 4 is a measure under the Rural Development Programme, 2007-13, and is subject to EU regulations which require that detailed administrative checks on all applications be completed before any payments can issue. In the course of the administrative check of the application from the person named, a discrepancy was discovered between the Single Payment Scheme application for 2011 and the REPS 4 agri-environmental plan. This issue has now been resolved and the 2011 payment due to the person named will issue shortly.

Departmental Programmes

435. **Deputy Michael Moynihan** asked the Minister for Agriculture, Food and the Marine the particular programmes or schemes that are funded under the sub-head C7 — Fisheries; the actual financial provision made in budget 2011 for each of those programmes or schemes; the expenditure on each scheme or programme in 2011; and if he will make a statement on the matter. [6897/12]

436. **Deputy Michael Moynihan** asked the Minister for Agriculture, Food and the Marine the particular programmes or schemes that are funded under the sub-head C6 — Forestry; the actual financial provision made in budget 2011 for each of those programmes or schemes; the expenditure on each scheme or programme in 2011; and if he will make a statement on the matter. [6898/12]

438. **Deputy Michael Moynihan** asked the Minister for Agriculture, Food and the Marine the particular programmes and schemes that are funded under the sub-head A4 — Development of Agriculture and Food — farm grants; the actual financial provision made in budget 2011 for each of those programmes and schemes; the actual expenditure on each scheme and programme in 2011; and if he will make a statement on the matter. [6912/12]

439. **Deputy Michael Moynihan** asked the Minister for Agriculture, Food and the Marine the particular programmes and schemes funded under the sub-head A10 — Other; the actual financial provision made in Budget 2011 for each of this programmes and schemes; the actual expenditure on each scheme and programme in 2011; and if he will make a statement on the matter. [6913/12]

440. **Deputy Michael Moynihan** asked the Minister for Agriculture, Food and the Marine the particular programmes and schemes funded under the sub-head B3 — Food Safety, Animal Health; the actual financial provision made in budget 2011 for each of those programmes and schemes; the actual expenditure on each scheme and programme in 2011; and if he will make a statement on the matter. [6914/12]

441. **Deputy Michael Moynihan** asked the Minister for Agriculture, Food and the Marine the particular programmes and schemes funded under the sub-head B4 — Other; the actual financial provision made in budget 2011 for each of those programmes and schemes; the actual expenditure on each scheme and programme in 2011; and if he will make a statement on the matter. [6915/12]

442. **Deputy Michael Moynihan** asked the Minister for Agriculture, Food and the Marine the particular programmes and schemes funded under the sub-head C9 — Other; the actual financial provision made in budget 2011 for each of those programmes and schemes; the actual expenditure on each scheme and programme in 2011; and if he will make a statement on the matter. [6916/12]

443. **Deputy Michael Moynihan** asked the Minister for Agriculture, Food and the Marine the particular programmes and schemes funded under the sub-head D5 — Other; the financial provision made in budget 2011 for each of those programmes and schemes; the actual expenditure on each scheme and programme in 2011. [6917/12]

444. **Deputy Michael Moynihan** asked the Minister for Agriculture, Food and the Marine the particular programmes and schemes funded under the sub-head C3 — Rural Environmental Protection Scheme; the financial provision made in budget 2011 for each of those programmes and schemes; the actual expenditure on each scheme and programme in 2011; the total payments made under the REP scheme; the total payments made under the agri-environment options scheme; and if he will make a statement on the matter. [6918/12]

445. **Deputy Michael Moynihan** asked the Minister for Agriculture, Food and the Marine the particular programmes and schemes funded under the sub-head C5 — Development of Agriculture and Food — farm grants; the financial provision made in budget 2011 for each of those programmes and schemes; the expenditure on each scheme and programme in 2011; and if he will make a statement on the matter. [6919/12]

446. **Deputy Michael Moynihan** asked the Minister for Agriculture, Food and the Marine the particular programmes and schemes funded under the sub-head D3 — Market Supports Operational Costs; the financial provision made in budget 2011 for each of those programmes

and schemes; the expenditure on each scheme and programme in 2011; and if he will make a statement on the matter. [6920/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I propose to take Questions Nos. 435, 436 and 438 to 446, inclusive, together.

I would refer the Deputy to my reply to Parliamentary Question Number 5883/12 of 1 February 2012 which outlined the 2011 Estimate and corresponding expenditures for each of the main programmes in my Department's Vote. A tabular statement giving a more detailed breakdown of these figures is being prepared and will be forwarded to the Deputy.

Direct Payment Schemes

437. **Deputy Michael Creed** asked the Minister for Agriculture, Food and the Marine the total number of applications received in 2008 under the young farmers installation aid scheme and the early retirement scheme; the number of applications that were approved for payment under each scheme; and if he will make a statement on the matter. [6902/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): 774 applications were received under the Young Farmers' Installation Scheme during the period from 1 January 2008 until the date of suspension of the Scheme for new applications on 14 October 2008. Of these, 698 have been approved for payment under the Scheme. 328 applications were received under the Early Retirement Pension Scheme from 1 January 2008 until the date of suspension of the Scheme for new applications on 14 October 2008. Of these 319 have been approved for payment under the Scheme.

Questions Nos. 438 to 446, inclusive, answered with Question No. 435.

Departmental Funding

447. **Deputy John McGuinness** asked the Minister for Children and Youth Affairs the amount of funding that was granted to a group (details supplied) in each of the past 11 years; the person who accounts to her Department for this funding; if audited accounts for each year are available; and if she will make a statement on the matter. [6240/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): For the period 2001 to 2005 payments to this group were sanctioned by the then Department of Health and Children and issued by the then North Eastern Health Board from a Central Development Fund. Since 2005, the HSE has had responsibility for these matters. The table sets out the level of funding provided to the group in question for the period 2001 to 2005:

Year	Amount
2001*	€170,814
2002	€171,925
2003	€202,909
2004	€297,354
2005	€275,504

*includes a National Lottery Grant of €38,192.

Audited reports for the years 2001 to 2004 were provided to the Department by the group.

My Department has sought the information requested by the Deputy, in respect of any funding provided to and the accounting arrangement with the group with effect from 2005/2006

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to date, from the HSE and I will provide the information to the Deputy when it becomes available.

Inter-Country Adoptions

448. **Deputy Jerry Buttimer** asked the Minister for Children and Youth Affairs the position regarding discussions with Russian authorities regarding a bilateral agreement on inter-country adoption; and if she will make a statement on the matter. [6245/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): In relation to Russia, a limited number of adoptions are currently being processed under transitional arrangements as provided for in the Adoption Act 2010. Such adoptions may take place up to the end of October 2013. Russia has not ratified the Hague Convention and there appears to be no immediate prospect that this will happen. Therefore, future adoptions from Russia, beyond those provided for under the transitional arrangements, may only be possible under a bi-lateral agreement developed to the standards of the Hague Convention.

An official delegation from Ireland recently visited Russia and held preliminary discussions regarding the potential for a bilateral agreement. I am awaiting an assessment from the Adoption Authority which will inform the next steps to be taken in relation to this matter. The immediate priority of the Adoption Authority is the development of administrative arrangements with other countries which have ratified the Hague Convention. Any future bilateral arrangements which might be entered into would also be required by law to meet the minimum standards set out in the Convention.

449. **Deputy Jerry Buttimer** asked the Minister for Children and Youth Affairs post ratification of the Hague Convention, the number of inter-country adoptions that have taken place here; if there has been no such adoptions when it is expected that inter-country adoptions will recommence; and if she will make a statement on the matter. [6246/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): In accordance with the Adoption Act, 2010, which came into effect on 1 November 2010, intercountry adoptions can be effected with other countries which have ratified the Hague Convention or with which Ireland has a bilateral agreement. Ireland currently has no bilateral agreements in respect of intercountry adoption. With regard to non-Hague countries, a number of adoptions are being processed under the transitional arrangements provided in the Adoption Act, 2010. Such adoptions may take place up to the end of 2013.

In the period between the commencement of the Adoption Act, 2010, and 26th January 2012, the latest date for which information is available, a total of 368 foreign adoptions have been registered by the Adoption Authority of Ireland (AAI). Of these, 244 were intercountry adopters resident in Ireland with Declarations issued by the AAI and 124 were Irish ex-patriates resident abroad and seeking recognition of adoptions effected abroad.

450. **Deputy Jerry Buttimer** asked the Minister for Children and Youth Affairs the reasons it was decided to only permit inter-country adoptions from countries which are compliant with the Hague Convention rather than permitting inter-country adoptions when the adoption is compliant with the Hague Convention; and if she will make a statement on the matter. [6247/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): In accordance with the Adoption Act, 2010, which came into effect on 1 November 2010, intercountry adoptions can be effected with other countries which have ratified the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption or with which Ireland has

a bilateral agreement. Ireland currently has no bilateral agreements in respect of intercountry adoption.

The Hague Convention is a co-operative agreement drawn up to allow countries to mutually support one another in protecting the best interests of children in the intercountry adoption process. It is designed in such a way as to allow for mirrored mechanisms and structures to mutually assure countries of the safety and standard of intercountry adoptions in those countries. The Adoption Authority of Ireland (AAI) performs the function of a Central Authority under the Adoption Act, 2010, in accordance with the Convention. In choosing to deal primarily with Hague countries, the AAI has the mechanism to work collaboratively with equivalent structures in that country. Each Central Authority has the responsibility to oversee standards in respect of those parts of the process taking place within their respective jurisdictions. This mutual arrangement is designed to give the AAI, the Government and, most importantly, those involved in the adoption process assurance as to the standards being set and the oversight of the system.

It is not realistic that the Government, or the AAI, could regulate activities relating to the adoption process outside of these State-to-State arrangements. Nor would it be possible for the AAI to work on a case by case basis to oversee individual adoptions extra-jurisdictionally as they are being effected. A system whereby the AAI considered whether adoptions are compliant with the required standards after they have been effected would be unfair both to the children and prospective adoptive parents involved. It leaves open the possibility of adoptions being unrecognised which is contrary to the best interests of the child. The role of the Central Authority in the sending country is therefore critical to the process of national assurance.

The Adoption Authority of Ireland (AAI) has indicated that its immediate priority is the development of administrative arrangements with other countries which have ratified the Hague Convention. In this context, the AAI is currently developing administrative arrangements with a number of countries which are signatories to the Convention.

With regard to non-Hague countries, a number of adoptions are being processed under transitional arrangements provided for in the Adoption Act, 2010. Such adoptions may take place up to the end of 2013. An official delegation from Ireland recently visited Russia and held exploratory meetings with authorities there regarding the potential for a bilateral agreement. I am awaiting an assessment from the AAI which will inform the next steps in relation to this matter. In addition, I have recently given the AAI approval to commence the process of examining the feasibility of a bilateral agreement with Ethiopia. Any future bilateral arrangements which might be entered into would be required by law to meet the minimum standards set out in the Hague Convention.

451. **Deputy Simon Harris** asked the Minister for Children and Youth Affairs the position regarding the review of the compatibility of legislation in Kazakhstan with Irish legislation regarding inter-country adoptions; and if she will make a statement on the matter. [6506/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): In accordance with the Adoption Act, 2010, which came into effect on 1 November 2010, intercountry adoptions can be effected with other countries which have ratified the Hague Convention or with which Ireland has a bilateral agreement.

The Republic of Kazakhstan has ratified the Hague Convention on International Adoption and is in the process of reforming its legislation to bring it in line with the requirements of the Hague Convention. Accordingly, adoptions from Kazakhstan have been temporarily suspended by the authorities in the Republic of Kazakhstan.

In October, 2011 the Adoption Authority of Ireland (AAI) commenced a review of the adoption laws of Kazakhstan. The review of laws is to clarify the precise effects of adoptions

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effected in Kazakhstan *vis-à-vis* the Irish legislative regime for recognition so that the effects of recognition are consistent with the effects of the original adoption order. This is a standard check carried out in respect of all countries of origin. Once this review process has been completed, the AAI will advise prospective applicants regarding the issue and may enter into administrative arrangements with that country.

Child Care Services

452. **Deputy Paul J. Connaughton** asked the Minister for Children and Youth Affairs the reason a person (details supplied) in County Galway has been refused child care subvention in band A for their two children in view of the fact that they are recognised as a carer with the Department of Social Protection; and if she will make a statement on the matter. [6645/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): My Department implements the Community Childcare Subvention (CCS) programme which provides funding to community childcare services to enable them to charge reduced childcare rates to low income and disadvantaged families.

Community childcare services qualify for grant aid on the basis of the level of service they provide and the profile of the parents benefiting from their service. Parental declaration forms are submitted in the Autumn of each year to my Department and the PPS numbers of those parents are transmitted to the Department of Social Protection (DPS) and the HSE for verification. Information supplied by the DSP and HSE is used to determine the level of subvention which applies to each individual parent. Following verification, letters issue to participating services confirming the total annual CCS subvention amount approved for that service together with a list of qualifying parents and confirmation of the subvention level applied to each parent. Services are also advised that if any parent disagrees with the level of subvention applied to them, they have a right of appeal. The deadline for the submission of appeals in this instance was Friday, 3 February 2012.

I understand that the person referred to by the Deputy has submitted an appeal against the initial determination of subvention and that this appeal is currently being considered. The childcare service in which her children are enrolled will be advised of the outcome in due course.

453. **Deputy Mattie McGrath** asked the Minister for Children and Youth Affairs her plans to continue the early child care and education scheme into 2013; and if she will make a statement on the matter. [6775/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): In line with the Programme for Government, my Department has made a significant commitment to maintaining the universal free pre-school year. In this context the funding for the pre-school year has been increased from €163 million in 2011 to €175.8 million in 2012 to cater for changing demographics, which means that there is an increased number of children in the relevant age cohort.

Pre-school services currently participating in the programme have a legal contractual agreement up to the end of August 2012 and planning is underway for the September 2012/August 2014 period of the programme. Having said this, you will appreciate that all programme funding is considered in the context of the annual estimates and budgetary process and it is not possible to give a specific guarantee in advance of these discussions.

National Carer's Strategy

454. **Deputy Finian McGrath** asked the Minister for Health the progress that has been made in implementing the national carer's strategy as outlined in the programme for Government; the timeframe for same; and if he will make a statement on the matter. [6214/12]

534. **Deputy Kevin Humphreys** asked the Minister for Health the progress that has been made on implementing the national carer's strategy as contained in the programme for Government; if he has had any discussion with the Department for Social Protection regarding the development of such a strategy; and if he will make a statement on the matter. [6747/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): I propose to take Questions Nos. 454 and 534 together.

The development of a National Carers Strategy 'to support carers and to address issues of concern' is a key commitment in the current Programme for Government. While issues relating to carers span a number of different Departments, the Taoiseach has allocated responsibility for co-ordination of the preparation of the Strategy to me with the support of the Minister for Social Protection. The Strategy will address the needs of informal and family carers. It will be conceptual and visionary and will establish a number of high-level principles, goals and objectives and a road map to implementation.

The State already faces challenges in maintaining existing levels of services from within limited resources and the Strategy is being developed in that context. The Strategy will not be an operational plan but will set the strategic direction for future services and supports for carers in recognition of their role and contribution to maintaining children, adults and older people with physical or mental health difficulties in their own homes. Work on developing the Strategy is on-going, and it is hoped that a draft will be completed by end March 2012. Discussions have taken place between officials of the Departments of Health and Social Protection in relation to the Strategy.

Health Services

455. **Deputy Sandra McLellan** asked the Minister for Health the reason an urgent physiological assessment for a child (details supplied) has been changed from February to June; if the assessment will be prioritised; and if he will make a statement on the matter. [6599/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): 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.

Health Insurance Industry

456. **Deputy Michael McGrath** asked the Minister for Health the reason the authorisation of the VHI has been delayed until end 2013; the European Commission's response to this delay; if he will outline the way he intends to achieve the authorisation of the VHI in particular in regard to achieving the required levels of reserves; and if he will make a statement on the matter. [6630/12]

457. **Deputy Michael McGrath** asked the Minister for Health when he expects the authorisation of the VHI to occur; if he will outline the steps the VHI are required to take to achieve authorisation; the effects in practical terms for the VHI and its impact on its customers; and if he will make a statement on the matter. [6631/12]

458. **Deputy Michael McGrath** asked the Minister for Health the corporate governance measures that must be undertaken by the VHI in order to become authorised by the Central Bank of Ireland; the reason such measures are not currently applied by the VHI; if he has concerns regarding the functioning of the VHI heretofore in the absence of such governance measures; and if he will make a statement on the matter. [6632/12]

459. **Deputy Michael McGrath** asked the Minister for Health the level of capital required for the VHI to be authorised by the Central Bank of Ireland; if he does not yet have a final figure for the level of capital required; the indicative levels he has been given and by whom; and if he will make a statement on the matter. [6633/12]

461. **Deputy Michael McGrath** asked the Minister for Health if Ireland is facing any punitive sanctions from the European Commission in view of the failure to regulate the VHI in response of the European Court of Justice's decision of September 2011 that the VHI should be treated in a similar manner to private health insurers operating in the market here; and if he will make a statement on the matter. [6635/12]

Minister for Health (Deputy James Reilly): I propose to answer Questions Nos. 456 to 459, inclusive, and 461 together.

The Government has decided, on foot of my recommendations, that the VHI should make an application for authorisation by the Central Bank, subject to further Government decisions to be made relating to capitalisation, once the level of its capital shortfall is clarified. The VHI has been working for some time in preparation for this.

As the Deputy will be aware, the European Commission took a case against the State regarding the VHI's derogation from the EU Non-Life Directives which had exempted it from the requirement to be authorised by the Central Bank. The Court of Justice of the European Union ruled against the State on 29 September last.

The Voluntary Health Insurance (Amendment) Act 2008 provided for the VHI to acquire sufficient funding in terms of its capital reserves to enable it to make an application to the Financial Regulator for authorisation. The date by which the VHI must accrue the necessary reserves is set at 31 December 2013. It would not be appropriate for me to speculate on the level of capital which may be required as it will be subject to market fluctuations and will ultimately be determined by the Central Bank. Should the State decide to provide the funding requirements for authorisation, approval of the European Commission under State Aid rules would be required.

VHI's regulatory status is bound up in a range of issues relating to the private health insurance market which I have been addressing over the past number of months. In order to be considered for authorisation by the Central Bank, VHI will need to present a sustainable business plan. Due to the current imbalance of the community rated private health insurance market, where the vast majority of claims are paid out by the VHI, the market requires an effective scheme of risk equalisation to address that imbalance. Work is ongoing in my Department to legislate for such an effective, robust and permanent scheme in the coming months, following the Government's recent agreement to my proposals in that regard. The new scheme will need to be cleared at EU level in relation to State Aid rules. In the meantime, on foot of recommendations of the Health Insurance Authority following its analysis of the market, the level of age-related tax credits payable in 2012 in respect of customers over the age of 60 has been significantly increased.

In any application for authorisation by the Central Bank, the Board and management of the VHI will be subject to examination on a range of governance issues. VHI expects to be in a position to satisfy the Central Bank as to its compliance with these requirements shortly.

Following the Court of Justice judgment, the Government made decisions on how best to address the Court's findings. The Government's plans and a realistic timetable were outlined to the European Commission on 9 December last. I believe the Commission will be satisfied with the Government's proposal and they have not indicated that any sanctions are under

consideration. Resolution of the issues will involve a number of steps. The timescale for some of these steps is outside of the State's control and will depend on the time it takes for decisions to be made by the European Commission itself regarding State Aid issues, as well as by the Central Bank.

Once it is clear, following the analysis of the Central Bank and the European Commission, what additional capital the VHI would require in order to secure authorisation and to satisfy any State Aid implications which may arise, the Government will consider the matter and make further decisions in that regard.

It is clear that all of these actions must be undertaken in an orderly and efficient manner but that this will take time. The timescale outlined to the European Commission is intended to allow for these issues to be addressed in such an orderly and efficient way. Officials from my Department remain in contact with the European Commission on an ongoing basis and will work to satisfy the Commission's concerns and to advance the resolution of the regulatory status of the VHI as quickly as possible.

460. **Deputy Michael McGrath** asked the Minister for Health if he is satisfied with the situation whereby the VHI is currently not authorised by the Central Bank of Ireland and specifically is not required to abide by the consumer protection code; his views on making the code applicable to the VHI, in the interests of protecting consumers, in advance of the full authorisation of the VHI; and if he will make a statement on the matter. [6634/12]

Minister for Health (Deputy James Reilly): The Government has decided, on foot of my recommendations, that the VHI should make an application for authorisation by the Central Bank, subject to further Government decisions to be made relating to capitalisation, once the level of its capital shortfall is clarified. The VHI has been working for some time in preparation for this.

The VHI has voluntarily committed itself to implementing the requirements of the Consumer Protection Code over the past number of years. Subscribers can be assured that VHI is committed to satisfying the Central Bank of its ongoing compliance with the Consumer Protection Code. This forms part of the steps the VHI is taking in the context of the application which it is currently preparing for authorisation by the Central Bank.

In addition to the Code, the VHI is working to satisfy a range of other qualitative issues which the Central Bank requires from any authorised entity.

Question No. 461 answered with Question No. 456.

Medical Cards

462. **Deputy Dara Calleary** asked the Minister for Health the reason for the delay in processing medical card applications in respect of persons (details supplied) in County Donegal; and the steps being taken to reduce the waiting times. [6213/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Health Services

463. **Deputy Michael Healy-Rae** asked the Minister for Health the position regarding extra home help hours in respect of persons (details supplied) in County Kerry; and if he will make a statement on the matter. [6216/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Medical Cards

464. **Deputy Tom Fleming** asked the Minister for Health if he will investigate the delay in processing a medical card in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [6219/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

465. **Deputy Aodhán Ó Ríordáin** asked the Minister for Health the position regarding an application for a medical card in respect of a person (details supplied) in Dublin 5; and if he will make a statement on the matter. [6221/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

466. **Deputy Michael Healy-Rae** asked the Minister for Health the position regarding a medical card in respect of a person (details supplied) in County Kerry; if he will expedite the application; and if he will make a statement on the matter. [6226/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Patients' Private Property Accounts

467. **Deputy Jerry Buttimer** asked the Minister for Health in view of recent court decisions, if he intends to change the way patients' private property accounts are operated to give individuals concerned direct access to their own moneys; and if he will make a statement on the matter. [6228/12]

Minister for Health (Deputy James Reilly): Patient Private Property Accounts (PPPAs) are governed by Section 9 of the Health (Repayment Scheme) Act 2006. Their operation is subject to the HSE's National Patients' Private Property Guidelines which set out the procedures to be followed in operating all PPPAs. A fundamental concept underpinning the guidelines is that all funds held in PPPAs belong to the client and to no other person or body, including the HSE. I am not aware of any difficulty in relation to individual PPPA holders having access to and effective control of monies in their accounts, where they have the mental capacity to exercise such control.

Where monies have been lodged to a PPPA, and where the patient concerned lacks capacity, the HSE ensures that this money is used only for the benefit of the patient in accordance with the National Guidelines. The HSE is always happy to involve interested family members in the management of each patient's finances, so as to ensure that the patient's available funds are used to best effect in providing benefit to the patient concerned.

Medical Cards

468. **Deputy John McGuinness** asked the Minister for Health when a medical card will be issued in respect of a person (details supplied) in County Kilkenny; and if he will expedite the matter. [6231/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Health Services

469. **Deputy John McGuinness** asked the Minister for Health if home help hours will be increased in respect of a person (details supplied) in County Kilkenny. [6232/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Medical Cards

470. **Deputy John McGuinness** asked the Minister for Health when a medical card will be issued in respect of a person (details supplied) in County Kilkenny; and if he will expedite the matter. [6233/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

471. **Deputy John McGuinness** asked the Minister for Health when a medical card will be issued in respect of a person (details supplied) in County Carlow; and if he will expedite the matter. [6234/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

472. **Deputy John McGuinness** asked the Minister for Health if an application for a medical card will be expedited and approved in respect of a person (details supplied) in County Kilkenny. [6237/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

473. **Deputy John McGuinness** asked the Minister for Health if a medical card will be issued in respect of a person (details supplied); and if he will expedite the matter. [6239/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

General Medical Services Scheme

474. **Deputy Jerry Buttiner** asked the Minister for Health if he will consider amending the prescription regime for medical card holders in order that they can have prescriptions from consultants and other services which prescribe medication filled without the necessity of a further appointment with their general practitioner; and if he will make a statement on the matter. [6248/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): The Medical Council's Guide to Professional Conduct and Ethics states that "it is in the best interests of the patient that a general practitioner supervises and guides the overall management of their health".

Medical card holders who are given a prescription by a hospital or clinic must request their GP to transcribe the details onto a GMS prescription form in order for them to receive their medication free of charge, subject to any applicable prescription charges.

[Deputy Róisín Shortall.]

There is an arrangement under the GMS Scheme for the emergency supply of medicines for medical card holders on discharge from hospital. Community pharmacists are authorised to dispense a maximum of seven days supply of medicines prescribed for persons who have been in-patients in a hospital or who have attended an Emergency Department and because of the circumstances of their discharge and/or the urgency of the prescribed medication it would not be possible to attend their GP to have the hospital prescription transcribed to a GMS prescription form. This arrangement relieves any difficulties that patients might encounter due to being discharged from hospital late in the evening or at weekends.

I wish to assure the Deputy that it is best clinical practice that a person in need of treatment should regularly attend their GP and that the GP is fully aware of the medications that any patient may be being prescribed. This is entirely consistent with the gatekeeper role played by the GP in the delivery of primary care. As GPs receive an annual capitation fee per GMS patient there are no extra costs incurred by such patients.

Medical Cards

475. **Deputy John McGuinness** asked the Minister for Health if a medical card will be issued without delay in respect of a person (details supplied) in County Kilkenny. [6251/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Health Service Staff

476. **Deputy Michael Healy-Rae** asked the Minister for Health his views on the internal review that took place with regard to the Health Service Executive's redundancy and *ex gratia* payments to former workers in the agency system; and if he will make a statement on the matter. [6262/12]

Minister for Health (Deputy James Reilly): The purpose of the HSE's internal audit function is to provide assurance that controls and procedures are operated in accordance with best practice and the appropriate regulations. This is part of the normal governance arrangements required in any corporate body, public or private.

I understand that internal audit reports in relation to the 2010 Voluntary Redundancy Scheme have been provided to HSE management and will be considered and acted upon by the Executive as appropriate.

Care of the Elderly

477. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if he will identify cuts that have been made to the home help service in Kilkenny; if it is intended to cut the service entirely; and if he will make a statement on the matter. [6272/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Health Services

478. **Deputy Tom Fleming** asked the Minister for Health if he will investigate the delay in processing an application in respect of persons (details supplied) in County Kerry; and if he will make a statement on the matter. [6276/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Nursing Home Repayment Scheme

479. **Deputy John Deasy** asked the Minister for Health when the annual appeals report on the health repayment scheme for 2010 will be published; and if he will make a statement on the matter. [6279/12]

Minister for Health (Deputy James Reilly): The Health Repayment Scheme Appeals Office is an independent office, established in December 2006 under the Health (Repayment Scheme) Act 2006, to provide a service to those who wish to appeal a decision of the Scheme Administrator.

The most recent report issued by the Appeals Office was for the year 2009. Activity levels were low throughout 2011 and remaining work on the Scheme is now drawing to a close with very few appeals still to be determined. I understand that the Office intends to report shortly on the period from January 2010 to the end of 2011.

Hospital Accommodation

480. **Deputy John Deasy** asked the Minister for Health the treatments that have been put in place for psychiatric patients from St. Otteran's Hospital in Waterford who are being moved to nursing home accommodation: if he is concerned that no proper facilities are being put in place for the patients; and if he will make a statement on the matter. [6280/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter the question has been referred to the HSE for direct reply.

Medical Cards

481. **Deputy John Browne** asked the Minister for Health when an application for a medical card will be considered in respect of a person (details supplied) in County Wexford; and if he will make a statement on the matter. [6284/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

482. **Deputy John Browne** asked the Minister for Health when an application for a medical card will be approved in respect of persons (details supplied) in County Wexford; and if he will make a statement on the matter. [6285/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

General Practitioner Services

483. **Deputy Seán Kenny** asked the Minister for Health if free general practitioner cover was extended to include long-term illness card or book holders; if they have been advised of this change; and if he will make a statement on the matter. [6296/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): The Programme for Government committed to reforming the current public health system by introducing Universal Health Insurance with equal access to care for all. As part of this reform programme the Government is committed to introducing Universal Primary Care within the first term of office of this Government.

[Deputy Róisín Shortall.]

It is intended to provide GP visit cards to persons in receipt of drugs and medicines under the Long Term Illness Scheme. Primary legislation is required to give effect to this commitment. There will be an announcement in due course about the start date for the new arrangements. It is hoped that the new arrangements will be in place by early Summer.

Medical Cards

484. **Deputy Aengus Ó Snodaigh** asked the Minister for Health the reason a person (details supplied) in Dublin 22 had their medical card revoked in July 2011, despite no changes in their income accruing and they now have no way of paying for medication, which totals more than €2,000 a month. [6318/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Pension Provisions

485. **Deputy Peter Mathews** asked the Minister for Health if the moneys collected as part of the pension levy from the Irish Blood Transfusion Service, IBTS, employees, was passed onto the Department of Finance or if the IBTS retain the money, as part of its own pension plan; and if he will make a statement on the matter. [6329/12]

Minister for Health (Deputy James Reilly): The Irish Blood Transfusion Service (IBTS) is a public service body as defined in the Financial Emergency Measures in the Public Interest Act, 2009 and consequently its employees are public servants within the terms of that Act. To date, the Pension Levy deducted has not been remitted by the IBTS to the Exchequer. My officials are in discussion with the Board of the IBTS on how best to resolve the issue of the deficit in the IBTS pension fund, and this may involve using a proportion of pension levy funds. The Irish Blood Transfusion Service pension scheme comes under the scope of a public service pension scheme as defined in Section 1 of the Act.

Vaccination Programme

486. **Deputy Denis Naughten** asked the Minister for Health the position regarding the establishment of a compensation fund for the parents of vaccine damaged children; when a decision will be made on the implementation of the recommendations of this report; and if he will make a statement on the matter. [6345/12]

Minister for Health (Deputy James Reilly): My Department is currently examining the recommendations of the Vaccine Damage Steering Group. The report raises many complex issues that require further consideration and I expect to have an assessment of these in the near future.

Medical Cards

487. **Deputy Seán Ó Fearghail** asked the Minister for Health if he will expedite an application for a medical card in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [6358/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

488. **Deputy Ciarán Lynch** asked the Minister for Health if he will review the circumstances in which a person (details supplied) who had held a full medical card was given a general

practitioner visit card on renewal despite a deteriorating medical condition; and if he will make a statement on the matter. [6370/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

489. **Deputy Seán Ó Fearghaíl** asked the Minister for Health if he will expedite an application for a medical card in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [6390/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Health Services

490. **Deputy Niall Collins** asked the Minister for Health the position regarding a specific application in respect of a person (details supplied) in County Cork. [6401/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

491. **Deputy Dessie Ellis** asked the Minister for Health if he will give details of the requirements for a patient of the Health Service Executive to be provided with a voucher for taxi fares to accommodate them travelling to and from hospital for treatment. [6402/12]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

492. **Deputy Tom Fleming** asked the Minister for Health if he will investigate the delay in processing an application in respect of persons (details supplied) in County Kerry; and if he will make a statement on the matter. [6403/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Care of the Elderly

493. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the steps he will take to prevent the proposal by the Health Service Executive to cease the preparation of meals on-site at a home (details supplied) in County Dublin and the replacement of freshly prepared meals with meals prepared at another hospital and transported to the home and re-heated or refrigerated there; if his attention has been drawn to the fact that such a procedure is in contravention of HIQA standards for nursing homes; if he will ensure that such a practice is not adopted at this or any other public nursing home; and if he will make a statement on the matter. [6410/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Departmental Expenditure

494. **Deputy Simon Harris** asked the Minister for Health the amount of funding allocated to a drugs task force (details supplied), in tabular form, for each of the years 2008 to 2012; and if he will make a statement on the matter. [6437/12]

497. **Deputy Simon Harris** asked the Minister for Health the current membership of a drugs task force (details supplied); and if he will make a statement on the matter. [6440/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): I propose to take Questions Nos. 494 and 497 together.

I understand that the questions tabled by the Deputy refer to the East Coast Regional Drugs Task Force. The funding allocated to the East Coast Regional Drugs Task Force in respect of each of the years between 2008 and 2012 is set out in Table 1. The details of the current membership of the Task Force are set out in Table 2.

Table 1

Year	Amount
2012	€851,596
2011	€872,716
2010	€896,933
2009	€842,380
2008	€1,079,953
Total	€4,543,578

Table 2

Name of Representative	Body/Sector Represented
Mr Andrew Doyle, T.D.	Acting Chairperson
Ms Keri Goodliffe	Task Force Coordinator
Ms Mary Millet	Community Sector
Ms Catherine Byrne	Co Wicklow VEC
Mr Garvin Hickey	Wicklow County Council
Mr Edwin Daley	Customs and Excise
Inspector Brian Duffy	An Garda Síochána
Mr Aubrey McCarthy	Voluntary Sector
Mr Eamonn McCann	Voluntary Sector
Ms Niamh McAlinden	HSE

Health Services

495. **Deputy Simon Harris** asked the Minister for Health the addiction services available at a location (details supplied); if he will provide a breakdown by town; and if he will make a statement on the matter. [6438/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the HSE for direct reply.

496. **Deputy Simon Harris** asked the Minister for Health the reason there is currently no drugs rehabilitation or counselling programme running at a location (details supplied); and if he will make a statement on the matter. [6439/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the HSE for direct reply.

Question No. 497 answered with Question No. 494.

498. **Deputy Billy Kelleher** asked the Minister for Health the number of individuals he expects to lose their home help as a result of the Health Service Executive service plan. [6477/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Long-Term Illness Scheme

499. **Deputy Paudie Coffey** asked the Minister for Health the person responsible for deciding which illnesses come under long-term illness benefit scheme; the scope there is for making additions to that list; and if he will make a statement on the matter. [6479/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): The Minister for Health may prescribe conditions for the purposes of the Long Term Illness Scheme. There are no plans to extend the list of conditions covered by the Scheme.

Under the Drug Payment Scheme no individual or family pays more than €132 per calendar month towards the cost of approved prescribed medicines. The scheme significantly reduces the cost burden for families and individuals incurring ongoing expenditure on medicines.

In addition, people who cannot, without undue hardship, arrange for the provision of medical services for themselves and their dependants may be entitled to a medical card. In the assessment process, the Health Service Executive can take into account medical costs incurred by an individual or a family. Those who are not eligible for a medical card may still be able to avail of a GP visit card, which covers the cost of general practice consultation.

Hospital Services

500. **Deputy Tom Fleming** asked the Minister for Health the implications of the further reductions in staffing levels due to take place between now and the end of February 2012 on the provision of services at Kenmare Community Hospital, County Kerry; the number of staff involved; if there will be bed closures; and if he will make a statement on the matter. [6482/12]

501. **Deputy Tom Fleming** asked the Minister for Health the implications of the further reductions in staffing levels due to take place between now and the end of February 2012 on the provision of services at Caherciveen Community Hospital, County Kerry; the number of staff involved; if there will be bed closures; and if he will make a statement on the matter. [6485/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): I propose to take Questions Nos. 500 and 501 together.

As these are service matters they have been referred to the Health Service Executive for direct reply.

502. **Deputy Tom Fleming** asked the Minister for Health the implications of the further reductions in staffing levels due to take place between now and the end of February 2012 on the provision of services at Dingle Community Hospital, County Kerry; the number of staff involved; if there will be bed closures; and if he will make a statement on the matter. [6486/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter it has been referred to the Health Service Executive for direct reply.

503. **Deputy Tom Fleming** asked the Minister for Health the implications of the further reductions in staffing levels due to take place between now and the end of February 2012 on the provision of services at Valentia Community Hospital, County Kerry; the number of staff involved; if there will be bed closures; and if he will make a statement on the matter. [6487/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): Valentia Community Hospital provides long-term and respite care to older people. It is run by a voluntary organisation, Valentia Community Health and Welfare Association Ltd, and has a service level agreement with the HSE under Section 39 of the Health Act 2004. Section 39 agencies are not public service bodies and their employees are not public servants. In this regard the Minister has no function in relation to staffing levels at Valentia Community Hospital. Minister Reilly recently met a group representing Valentia Hospital in Dingle and undertook to examine positively the issues raised by the group in regard to services provided at Valentia.

Mental Health Services

504. **Deputy Tom Fleming** asked the Minister for Health the implications of the further reductions in staffing levels due to take place between now and the end of February 2012 on the provision of mental health services in County Kerry; the number of staff involved, the number that have left since 2009; if there will be bed closures; and if he will make a statement on the matter. [6492/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter the question has been referred to the HSE for direct reply.

505. **Deputy Tom Fleming** asked the Minister for Health the implications of the further reductions in staffing levels due to take place between now and the end of February 2012 on the provision of mental health services in Ireland; the number of staff involved, the number that have left since 2009; if there will be bed closures; and if he will make a statement on the matter. [6493/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): *A Vision for Change* recommended the closure of the old psychiatric hospitals and a move from the traditional institutional based model of care to a patient-centred, flexible and community based mental health service, where the need for hospital admission is greatly reduced, while still providing in-patient care when appropriate.

This Government is committed to implementing *A Vision for Change* and reforming our model of healthcare delivery so that more and better quality care is delivered in the community. This commitment was clearly shown in Budget 2012 with a special allocation of €35m for mental health in line with the Programme for Government. Funding from this special allocation will be used primarily to strengthen Community Mental Health Teams in both Adult and Children's mental health services, improve access to psychological therapies in primary care and implement suicide prevention strategies in line with *Reach Out* — the National Strategy for Action on Suicide Prevention. The HSE Service Plan for 2012 provides for the recruitment of over 400 staff to the mental health service to deliver on these objectives.

Although final figures are not yet available, 436 mental health staff have indicated their intention to leave our mental health services by the end of February 2012. In March 2009, the mental health workforce was 9,972 WTEs and the HSE's National Service Plan 2012 projected that at the start of January 2012 there would be 9,207 staff in the mental health services. The HSE's Service Plan includes a commitment to reduce acute in-patient capacity by a minimum of 153 beds nationally in 2012, in line with the recommendations of *A Vision for Change*. A key

priority for the HSE is the reconfiguration of acute in-patient services and the redeployment of staff resources away from old institutional settings or over-provision of acute in-patient beds towards community based services.

Medical Cards

506. **Deputy Michelle Mulherin** asked the Minister for Health the position regarding an application of an appeal against the refusal of a medical card in respect of a person (details supplied) in County Mayo; and if the processing of the application will be expedited. [6494/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Health Services

507. **Deputy Tom Fleming** asked the Minister for Health the reason he is reducing home help hours and at the same time proposing to close a minimum of 555 public beds in community nursing units throughout the country; and if he will make a statement on the matter. [6497/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): Government policy is to support older people to live at home and in their communities for as long as possible. This is realised through a range of community based services such as mainstream Home Help, enhanced provision via Home Care Packages, or through other service elements such as Meals-on-Wheels or Day Care.

The recently agreed HSE Service Plan for 2012 involves a reduction in Home Help hours nationally, from around 11.2 million hours in 2011 to 10.7 million hours this year. While this equates to a reduction of 4.5% in terms of hours, the corresponding reduction proposed in the actual number of people receiving this service has been kept to 1.2% or, in other words, from around 50,600 recipients last year to 50,000 in 2012. This reflects an increased focus by the HSE on more personalised care for the most vulnerable older people. I would also draw the Deputy's attention to the fact that the levels of community based supports for older people contained in the HSE Service Plan maintains Home Care Packages for this year at 2011 levels.

In the case of public nursing homes, the HSE is facing a number of challenges including staffing, funding and environmental factors around the age and structure of the units. A further reduction in staff is anticipated between now and the end of February, and the HSE have been asked to carry out a risk assessment in relation to the staffing situation. The Plan anticipates that a minimum of 555 beds will close in the course of the year. It should be noted that this is an indicative number only. The HSE is also carrying out a viability review of all its long stay nursing homes. The review is focusing on a number of areas including the unit's ability to meet HIQA Standards in terms of environmental structures; staffing availability; and location and stock, etc.

The approach indicated above, in tandem with various other measures contained in the HSE Service Plan for this year, reflects the commitment of the Government to provide the best possible services to the most vulnerable older people, in light of increasing competing demands, and severe resource limitations overall.

Medical Cards

508. **Deputy Brendan Ryan** asked the Minister for Health when will the proposed self-assessment for medical card renewals commence; and if he will make a statement on the matter. [6498/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

509. **Deputy David Stanton** asked the Minister for Health when a decision will be reached on a medical card in respect of persons (details supplied) in County Cork; and if he will make a statement on the matter. [6515/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

510. **Deputy Dominic Hannigan** asked the Minister for Health the reason a medical card was replaced with a general practitioner only card in respect of a person (details supplied) in County Meath; and if he will make a statement on the matter. [6520/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Health Service Staff

511. **Deputy Aengus Ó Snodaigh** asked the Minister for Health the reason behind the decision to cut staff numbers at a care centre (details supplied) in County Dublin further, which will now have only five staff, down from nine in 2010 and still trying to deliver 24 hour-seven day day respite to 27 families. [6602/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As the Deputy's question relates to service matters, I have arranged for this question to be transferred to the Health Service Executive for direct reply.

Health Services

512. **Deputy Tom Fleming** asked the Minister for Health the position regarding a drug (details supplied). [6603/12]

Minister for Health (Deputy James Reilly): The goals of the National Cancer Control Programme (NCCP) are to improve cancer prevention, detection and increase survival rates. These improvements are being achieved through the development of a comprehensive national service, based on evidence and best practice. The NCCP's National Medical Oncology Programme develops protocols and practices for drug usage.

The NCCP Technology Review Committee is constituted from across the spectrum of clinicians, with representatives with expertise in epidemiology, statistics, pharmacy and pharmoeconomics. Recommendations from the Committee are received by the National Director of the NCCP and subsequently brought forward to the HSE Senior Management Team for approval. I am advised by the NCCP that this process is not yet complete for this particular drug and no final decision regarding its introduction has been made.

Medical Cards

513. **Deputy Michael Conaghan** asked the Minister for Health the position regarding the renewal of a medical card in respect of a person (details supplied) in Dublin 10; and if he will make a statement on the matter. [6604/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy as a matter of urgency.

514. **Deputy Dominic Hannigan** asked the Minister for Health the data protection policies that are in place at the new facility for processing medical card applications; the person who has responsibility for the implementation of the data protection policy; the policies in place when a piece of personal information goes missing; and if he will make a statement on the matter. [6606/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): I have asked the Health Service Executive for a report on the issue raised by the Deputy. I will revert to the Deputy on the matter as soon as possible.

Health Service Staff

515. **Deputy Billy Kelleher** asked the Minister for Health the shortfall of junior doctors by county; and if he will make a statement on the matter. [6628/12]

Minister for Health (Deputy James Reilly): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Medical Cards

516. **Deputy Tom Fleming** asked the Minister for Health when a decision will issue on a medical card renewal application in respect of persons (details supplied) in County Kerry; and if he will make a statement on the matter. [6636/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Hospital Accommodation

517. **Deputy Martin Ferris** asked the Minister for Health if he will confirm the number of beds that have closed, or are due to close at the psychiatric ward of Kerry General Hospital; and if he will make a statement on the matter. [6642/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter the question has been referred to the HSE for direct reply.

Health Services

518. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if he will investigate a case in Waterford in which the Health Service Executive has failed to provide occupational therapy to a five year old boy (details supplied) with autism spectrum disorder in view of a complaint made by the child's parents under section 14 of the Disability Act 2005 and the publication of a final report from the complaints officer with disability services which upholds the complaint; if he will outline the actions that will be taken to ensure that the necessary occupational therapy be provided for the child. [6651/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As the Deputy's question relates to service matters, I have arranged for this question to be transferred to the Health Service Executive for direct reply.

Health Service Staff

519. **Deputy Mary Lou McDonald** asked the Minister for Health if he will provide a detailed breakdown of the number of public sector health workers in both his Department and the

[Deputy Mary Lou McDonald.]

Health Service Executive who have availed of the Croke Park early retirement scheme including their place of employment (details supplied), grade and specialty in tabular form. [6654/12]

Minister for Health (Deputy James Reilly): Seventeen staff members in total are expected to retire from my Department during the period 1 January 2012 to 29 February 2012. The following is a breakdown of the grades involved:

Staff Members	No.
Principal Officer Level	3
Assistant Principal Officer Level	3
Pharmacist	1
Higher Executive Officer Level	5
Clerical /Staff/Executive Officer Level	5

The information in relation to the Health Service Executive is currently being collated and will be forwarded to the Deputy as soon as it is available.

520. **Deputy Peadar Tóibín** asked the Minister for Health if he will detail the 3,500 staff seeking to avail of the early retirement scheme, by grade and location. [6659/12]

Minister for Health (Deputy James Reilly): The most recent information available from the HSE indicates that, over the period from September 2011 to end-February 2012, some 3,800 health service staff will have retired from the health service. Of this total, approximately 1,700 persons have already retired during the four-month period to the end of December 2011 and a further 340 retired in January 2012.

A table sets out the latest data from HSE by grade and HSE region.

Retirements by Grade and HSE Region as at 1st Feb 2012

Grade at Retirement	HSE Region				Total
	HSE DML	HSE DNE	HSE South	HSE West	
Advanced Nurse Practitioner (General)				1	1
Ambulance Officer			1	1	2
Area Medical Officer		1	7	3	11
Area Medical Officer - Senior	4		2		6
Associate Specialist				1	1
Attendant, Multi-Task	37	10	49	65	161
Attendant/Aide	38	21	18	16	93
Biochemist	1				1
Biochemist, Principal	1				1
Boilerman	1	3	3		7
C.S.S.D. Operative	1	4	5	1	11
Cardiac Catheterisation Tech., Senior	1				1
Care Assistant (Intellectual Disability Services)	19	30	8	25	82
Care Group Specialist			1		1
Caretaker	1	6	5		12
Casualty Officer			1		1

Grade at Retirement	HSE Region				
	HSE DML	HSE DNE	HSE South	HSE West	Total
Catering Officer Grade I		1	1		2
Catering Officer, Grade II		1	3		4
Catering Supervisor	1	1			2
Catering/Cleaner/Assistant	11	12	5	12	40
Chaplain	2	2	1		5
Chargehand		1	1	1	3
Chef I	2	5	2	1	10
Chef II	2	1	3	2	8
Chef, Senior		1		1	2
Chief Executive Officer		1	1		2
Child Care Manager	3		5	1	9
Chiropracist/ Podiatrist				1	1
Cleaner	3		1	2	6
Clerical/A Officer	22	38	36	35	131
Clerk of Works	1				1
Clinical Nurse Instructor/Teacher		2			2
Clinical Nurse Manager 1	16	10	25	27	78
Clinical Nurse Manager 1 (Mental Health)	3	2	1	4	10
Clinical Nurse Manager 2	48	42	54	52	196
Clinical Nurse Manager 2 - Night	1		1	4	6
Clinical Nurse Manager 2 - Theatre				2	2
Clinical Nurse Manager 2 (Mental Health)	20	27	20	22	89
Clinical Nurse Manager 3	9	7	6	7	29
Clinical Nurse Manager 3 - Night	1	1		4	6
Clinical Nurse Manager 3 - Theatre			1		1
Clinical Nurse Manager 3 (Mental Health)	1		2	1	4
Clinical Nurse Specialist (General)	6	1	10	5	22
Clinical Nurse Specialist (Mental Health)	2	1	1	7	11
Clinical Photographer, Senior	1				1
Community Welfare Officer	1	2	8	2	13
Community Welfare Officer, Supt.	1	2			3
Consultant Anaesthetist	5	4	3	2	14
Consultant Cardiologist				1	1
Consultant Chemical Pathologist		1		1	2
Consultant Child and Adolescent Psychiatrist	1				1
Consultant General Adult Psychiatrist	4	3		4	11
Consultant General Paediatrician	1			3	4
Consultant General Physician	3		1	2	6
Consultant General Surgeon	2	7	4	1	14
Consultant Histopathologist	1				1
Consultant in Emergency Medicine				1	1
Consultant Learning Disability Psychiatry Child		3			3
Consultant Medical Oncologist	1				1
Consultant Nephrologist and General Physician			1		1
Consultant Obstetrician and Gynaecologist	3			1	4

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Grade at Retirement	HSE Region				
	HSE DML	HSE DNE	HSE South	HSE West	Total
Consultant Ophthalmic Surgeon	1	1	1	1	4
Consultant Orthopaedic Surgeon	1				1
Consultant Paediatric Surgeon			1		1
Consultant Physician in Clinical Pharmacology and Therapeutics			1		1
Consultant Psychiatrist in the Psychiatry of Old Age			1	1	2
Consultant Psychiatrist of Learning Disability (adult)		1	3		4
Consultant Radiologist	1	1	4	2	8
Consultant Unclassified	3	1	2		6
Consultant Urologist	1	1			2
Cook, Trainee		1			1
Counsellor	3	1	1		5
Counsellor / Therapist (National Counselling Services)	1				1
Counsellor Therapist (Adult Counselling Services)				2	2
Craftsman's Mate	4	2	3	4	13
Dental Nurse	5	1	2	1	9
Dental Surgeon, General	2	1	3	1	7
Dental Surgeon, Principal	1		1		2
Dental Surgeon, Senior	1	1	1	1	4
Dental Surgeon, Senior Administrative	1				1
Dental Surgery Assistant (without qualification)		5	2	5	12
Dietician Manager		3			3
Dietician Manager-In-Charge III	1				1
Dietician, Senior	2				2
Director of A Nursing/ Midwifery Education Centre	1				1
Director of Care		1			1
Director of Nursing and Midwifery				1	1
Director of Nursing (Mental Health)		1			1
Director of Nursing (Mental Health), Assistant	8	4	6	2	20
Director of Nursing 1	1	1	5	2	9
Director of Nursing 1, Assistant	9	3	3	7	22
Director of Nursing 2			2		2
Director of Nursing 2, Assistant	6	2	1	5	14
Director of Nursing 3	1	2			3
Director of Nursing 4		4	2	1	7
Director of Nursing 4, Assistant	2	1	1	1	5
Director of Nursing 5		1	1	2	4
Director of Nursing, Deputy			3		3
Director of Public Health Nursing	2	2	3	2	9
Director of Public Health Nursing, Assistant	2	8	11	2	23
Domestic	27	31	37	20	115

Grade at Retirement	HSE Region				
	HSE DML	HSE DNE	HSE South	HSE West	Total
Domestic Supervisor	1			1	2
Driver	2	11	1	4	18
Driver (Doctor-on-call)	1	1			2
Driver (Patients/Clients on Public Roads)	2	2			4
Driver, Minibus	2	1		3	6
E.C.G. Technician		1			1
Electrician	2	2		1	5
Emergency Medical Controller			2	1	3
Emergency Medical Controller - Team Leader			1		1
Emergency Medical Technician (Ambulance Attendant)	1	2	4		7
Emergency Medical Technician (Ambulance Driver)	8		1	8	17
Emergency Medical Technician, Leading	1		1	1	3
Engineer/Engineering Officer	1				1
Environmental Health Officer			1	1	2
Environmental Health Officer, Principal		2	1	2	5
Family Support Worker	3	4	5		12
Functional Officer		1	2		3
Gardener/Groundsman	1	1			2
Gardener/Groundsman Head				1	1
General Assistant	2		1	1	4
General Manager	2	1	1	1	5
General Operative	6		4	2	12
Grade IV	33	11	10	16	70
Grade V	17	3	2	6	28
Grade VI	11	6	7	2	26
Grade VII	8	7	3	7	25
Grade VIII	13	5	3		20
Health Care Assistants	18	9	15	18	60
Health Promotion Officer	1				1
Home Help	12	27	90	63	192
Home Help Co-Ordinator	1			2	3
Hostel Supervisor	1	1		6	8
House Officer, Senior				2	2
Household Services Manager		1			1
Housekeeper			3		3
Housekeeper, Assistant		3	2		5
Instructor	9	3	2	4	18
Laboratory Manager	1	1	1		3
Labourer	1				1
Laundry Worker	1	5		2	8
Linen Room/Laundry Supervisor				1	1
Local Health Office Manager - PCCC (HSE)				2	2
Maintenance Craftsman/Technician	2	3	1	7	13
Maintenance Foreman	3	1	1	5	10

[Deputy James Reilly.]

Grade at Retirement	HSE Region				
	HSE DML	HSE DNE	HSE South	HSE West	Total
Maintenance Foreman, Assistant				1	1
Maintenance Manager	1	2			3
Maintenance Officer	1	1			2
Medical Laboratory Aide			1		1
Medical Officer	3		3	5	11
Medical Officer, Principal				1	1
Medical Officer, Senior			1	1	2
Medical Scientist	11	4	4	8	27
Medical Scientist, Chief	4	4	2	7	17
Medical Scientist, Senior	5	4	8	9	26
Medical Scientist, Specialist	1				1
Miscellaneous Childcare, Support Services			1		1
National Director, Assistant (PCCC/ NHO/Pop Health)			1		1
National Planning Specialist	1				1
Neurophysiological Measurement Technician, Senior		1			1
Nurse Tutor		1			1
Nurse Tutor (Psychiatric)		1		1	2
Nurse, Mental Health Community			1		1
Nursery Nurse	1	2			3
Nurses Aide	1				1
Nursing/ Midwifery Clinical Placement Co- ordinator				1	1
Occupational Health Physician				1	1
Occupational Therapist			1		1
Occupational Therapist Manager	2			1	3
Occupational Therapist, Senior	4	5		3	12
Occupational Therapy Assistant				1	1
Orthoptist, Senior	1		2		3
Other Patient and Client Care Unclassified			1		1
Painter		2		1	3
Pathology Technician, Senior		1		1	2
Pensioners	5	6		1	12
Pharmaceutical Technician			1		1
Pharmaceutical Technician, Senior		1			1
Pharmacist	1				1
Pharmacist, Chief II	1				1
Pharmacist, Senior	1		1	1	3
Pharmacy Assistant				1	1
Phlebotomist	1	2	3	1	7
Phlebotomist, Senior	1				1
PHYSIOTHERAPIST			1		1
Physiotherapist Manager	1	1			2
Physiotherapist, Senior	4	1	1		6
Physiotherapist-in-charge (Grade III)	1				1
Physiotherapy Assistant	1				1

Grade at Retirement	HSE Region				
	HSE DML	HSE DNE	HSE South	HSE West	Total
Play Therapist, Senior		1			1
Plumber	1			2	3
Porter	12	10	8	5	35
Porter, Head	1	2			3
Porter, Theatre	2		2	3	7
Programme Manager		1		1	2
Project Manager			1		1
Project Worker		2	1		3
Psychologist, Clinical	1	1	1	1	4
Psychologist, Principal Clinical	4	1	1		6
Psychologist, Senior Clinical	4	1	1	5	11
Public Health Nurse	31	20	19	31	101
Public Health, Specialist	3				3
Radiation Therapist, Clinical Specialist	2				2
Radiographer	3		1	2	6
Radiographer, Clinical Specialist	1	2			3
Radiographer, Senior	3			3	6
Radiography Aide			1		1
Radiography Service Manager, I	3	2			5
Radiography Service manager, II	1		1		2
Registrar	1	1	1		3
Registrar, Senior				1	1
Respiratory Technician, Senior	1				1
S.E.N. (General)	6	2			8
S.E.N. (Psychiatric)		1			1
Seamstress/Tailor	3	1		1	5
Security Guard				2	2
Service Function Officer				1	1
Social Care Leader	5	8	3	9	25
Social Care Manager	1	1	1		3
Social Care Worker	10	8	10	9	37
Social Work Practitioner, Senior	5	2		2	9
Social Worker	4	8	6	2	20
Social Worker (Non-professionally qualified)			1	2	3
Social Worker, Medical	2	1			3
Social Worker, Principal	6	3	6	3	18
Social Worker, Psychiatric Senior		1	2		3
Social Worker, Senior Medical	1	1			2
Social Worker, Team Leader	7	1	2	3	13
Speech and Language Therapist			1		1
Speech and Language Therapist Manager	1	1	2		4
Speech and Language Therapist, Clinical Specialist	1				1
Speech and Language Therapist,Senior			1	1	2
Staff Midwife		2	2	15	19
Staff Midwife, Senior	7	6	4	1	18
Staff Nurse – General	55	41	83	190	369

[Deputy James Reilly.]

Grade at Retirement	HSE Region				
	HSE DML	HSE DNE	HSE South	HSE West	Total
Staff Nurse – Intellectual Disability	3		1	4	8
Staff Nurse General (Community)	3	3	2	4	12
Staff Nurse Senior, Mental Health (Nursing Bank)			1		1
Staff Nurse, Community Mental Health	2		2	4	8
Staff Nurse, Dual Qualified (General)	4	5	20	5	34
Staff Nurse, Dual Qualified (Intellectual Disability)			2		2
Staff Nurse, Dual Qualified (Mental Health)	1		1	1	3
Staff Nurse, Mental Health	11	12	29	61	113
Staff Nurse, Senior (Dual Qualified)	14	20	42	15	91
Staff Nurse, Senior (Dual-Qualified Mental Health)	2	3	6	3	14
Staff Nurse, Senior (General)	59	41	122	48	270
Staff Nurse, Senior (Intellectual Disability)	3		4	2	9
Staff Nurse, Senior (Mental Health)	20	20	33	46	119
Staff Nurse, Senior (Sick Children)		1			1
Storeperson	1				1
Stores Porter/Assistant/Attendant		1			1
Supplies Officer Grade A			1	1	2
Supplies Officer Grade B	1	1	1	1	4
Supplies Officer Grade C	2		1		3
Supplies Officer Grade D	1		1	2	4
Teacher		1		1	2
Technical Services Manager		1			1
Technical Services Officer, Senior Asst.				1	1
Telephonist	4	2			6
Theatre Technician/Porter/Attendant	2	1	1		4
Therapist				1	1
To Be Determined	18	5	6	3	32
Vascular Technician, Senior	1				1
Ward Clerk				1	1
Workshop Manager				1	1
Workshop Supervisor/Instructor	3			2	5
Workshop Supervisor/Instructor, Senior		2	4	3	9
Grand Total	931	740	1,038	1,106	3,815

521. **Deputy Peadar Tóibín** asked the Minister for Health if he will detail the number of medical consultants, their speciality and location, seeking to avail of the early retirement scheme. [6660/12]

522. **Deputy Peadar Tóibín** asked the Minister for Health if he will detail the number of nursing staff, their grade, speciality and location, seeking to avail of the early retirement scheme. [6661/12]

523. **Deputy Peadar Tóibín** asked the Minister for Health if he will detail the number of medical scientists, their grade, speciality and location, seeking to avail of the early retirement scheme. [6662/12]

524. **Deputy Peadar Tóibín** asked the Minister for Health if he will detail the number of administration staff, their grade, speciality and location, seeking to avail of the early retirement scheme. [6663/12]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 521 to 524, inclusive, together.

As this is a service matter, it has been referred to the HSE for attention and direct reply to the Deputy.

525. **Deputy Peadar Tóibín** asked the Minister for Health if he will detail the number of staff, by grade and speciality, in Navan hospital, County Meath, seeking to avail of the early retirement scheme. [6664/12]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

526. **Deputy Pádraig Mac Lochlainn** asked the Minister for Health the number of staff who have availed of the early retirement scheme in Letterkenny General Hospital, County Donegal. [6684/12]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

527. **Deputy Pádraig Mac Lochlainn** asked the Minister for Health the number of teachers who have availed of the early retirement scheme across the health services in County Donegal, and their specific jobs and roles. [6687/12]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the HSE for attention and direct reply to the Deputy.

Health Services

528. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if he will intervene with the Health Service Executive to address the cases of persons (details supplied) in County Meath; and if he will make a statement on the matter. [6689/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

529. **Deputy John McGuinness** asked the Minister for Health if extra home help hours will be approved in respect of a person (details supplied) in County Kilkenny. [6694/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Nursing Homes Support Scheme

530. **Deputy John McGuinness** asked the Minister for Health the position regarding an appli-

[Deputy John McGuinness.]

cation for nursing home support in respect of a person (details supplied) in County Kilkenny; and if he will expedite the matter. [6697/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Medical Cards

531. **Deputy Jack Wall** asked the Minister for Health the position regarding a medical card application in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [6705/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Health Services

532. **Deputy Sandra McLellan** asked the Minister for Health if he will provide additional home help to a person (details supplied) in County Cork; and if he will make a statement on the matter. [6706/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Medical Cards

533. **Deputy Sandra McLellan** asked the Minister for Health, further to Question No. 232 of 26 January 2012, when a response will issue. [6712/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): I have again asked the Health Service Executive for a report on the issue raised by the Deputy. I will revert to the Deputy on the matter as soon as possible. I have held detailed discussions with the HSE regarding the ongoing back-log in medical card appeals. The HSE is moving additional staff to this area to help address the unsatisfactory waiting times.

Question No. 534 answered with Question No. 454.

Health Services

535. **Deputy Micheál Martin** asked the Minister for Health his views regarding the Health Service Executive's decision to end in-house catering facilities at nursing homes, including Lusk Community Unit, County Dublin, and have food transported long distances to residents; his further views on whether this practice may contravene the standards of the Health Information and Quality Authority; if there are any cost savings involved; and if he will make a statement on the matter. [6765/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Medical Cards

536. **Deputy Michael Healy-Rae** asked the Minister for Health if he will expedite an application for a medical card in respect of a person (details supplied) in County Kerry. [6800/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

537. **Deputy Kevin Humphreys** asked the Minister for Health if there has been a general review of medical cards for all those over the age of 70 years taking into account the change in eligibility introduced on 1 January 2009; and if he will make a statement on the matter. [6783/12]

538. **Deputy Kevin Humphreys** asked the Minister for Health the options available to a person over the age of 70 years who voluntarily gave up their medical card when the eligibility criteria were changed on 1 January 2009; if it will be possible to have their medical card from before 1 January 2009 reinstated; and if he will make a statement on the matter. [6784/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): I propose to take Questions Nos. 537 and 538 together.

Eligibility for medical cards specifically for those over the age of 70 years is based on means. Under the Health Act 2008, the income thresholds for entitlement to a medical card for persons aged 70 and over is €700 (gross) per week (€36,500 per year) for a single person and €1,400 (gross) per week (€73,000 per year) for a couple. Income thresholds are reviewed annually. The last annual review was conducted in September 2011 and a decision was taken not to amend the income thresholds. There are no plans to change the eligibility criteria at this time.

A new streamlined user-friendly medical card review process for the over 70's was recently introduced by the Health Service Executive which ensures that where a person's circumstances have not changed since their last review/application, they simply certify this and return a single sheet review form to Primary Care Reimbursement Service central office. Where their circumstances have changed to the extent that they may no longer be eligible for a medical card, their case is reviewed in the normal way. The validity period for medical cards issued to people aged 66 and over is now 4 years. Notwithstanding, there continues to be an obligation on all card holders to notify the Health Service Executive of any change in their circumstances which would disentitle them from holding a medical card.

539. **Deputy Michael Healy-Rae** asked the Minister for Health his views on the medical card application process and the associated long delays; and if he will make a statement on the matter. [6793/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): The final part of the centralisation project took place on the 1 of July 2011 with the centralisation of Medical Card processing and associated tasks for the entire country in the Primary Care Reimbursement Service (PCRS) office in Finglas, Dublin.

For the first time in the State's history a single uniform system of application processing has been put in place. This system replaces the different systems previously operated through more than 100 Offices across the country. Some of the changes that have been introduced include the medicalcard.ie website and the standardisation of medical card assessments.

However, I am aware that there have been difficulties. These issues are a matter of serious concern and I have held several meetings with the HSE to raise the concerns. As a result of these discussions a number of changes are being introduced to the medical card application system. These changes will assist in speeding up the turn around for applications by easing the level of pressure on the medical card system, particularly with respect to the review process

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which, due to the timing of the re-issuing, and hence review, of a large cohort of medical cards has placed a large demand on the resources of the centralised office.

In 2010 the Central Office introduced a self assessment review process for people aged 70 years and over, as that cohort was managed entirely by the central office. Following on from this development the HSE has eased the review process for all pensioners. The change will mean that reviews for medical card holders who are 66yrs or over will operate on a self-assessment basis, as currently happens with over-seventies. The self-assessment review model will also be extended to medical card holders under 66, who were granted their medical card on the basis of a means assessment, where the HSE is satisfied is living in this jurisdiction.

The HSE is also standardising eligibility periods from two years to three years for people aged under 66yrs, with a new four year eligibility period for medical card holders aged 66 or over. Notwithstanding, there continues to be an obligation on all card holders to notify the HSE of any change in their circumstances which would disentitle them from holding a medical card. The HSE is in the process of arranging access to data in the possession of the Revenue Commissioners and the Department of Social Protection to allow them conduct reviews without troubling medical card holders for further documentation. It is also intended to increase the fine applying to false claims in a forthcoming Bill.

Discretionary cards, emergency cards and cards held by people in a small number of other categories will continue to be reviewed in the normal way, but the HSE are confident that the extension of the self assessment model to the great majority of medical card holders will simplify the process substantially, will improve the service to the client and will improve turn-around times for reviews. It is hoped that ultimately about 80% of renewals will be dealt with in this way. This new process also focuses attention on active users of the Medical Card to ensure that those most in need are involved in the streamlined process.

In addition, from this month, the HSE will implement a new system that gives GPs the additional ability to identify and assist the most vulnerable Medical Card holders in our society. GP's will be able to maintain the eligibility of these patients where they are going through the renewal system. GP's will also be able to add new babies onto the medical card system on-line.

I wish to emphasise that in no circumstances should a medical card holder who genuinely engages with the review of their medical card have their entitlement withdrawn before that review is complete. Some such cases were brought to my attention in recent weeks and this is unacceptable. The HSE is taking steps to ensure that this rule is properly implemented.

In addition the PCRS's central office is working to deal with some of the processing issues that have been arising. This has included reviewing and refining their systems for the receipt and logging of applications and documents being sent in as a result of requests for additional information. In addition, the PCRS has received further staff resources this month as a result of a transfer from the Central Statistics Office and this should make an impact on processing times. I am continuing to engage with the HSE with regard to other possible improvements.

I will continue to monitor the situation and have arranged to meet the HSE on a regular basis to discuss any issues which may arise with respect to medical cards.

Health Service Staff

540. **Deputy Dessie Ellis** asked the Minister for Health the number of nurses, care assistants and clerical staff who have availed of the Croke Park early retirement scheme from Beaumont, Cappagh, James Connolly, St. Vincent's, Fairview, and St. Brendan's Grangegorman, Dublin. [6817/12]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the HSE for attention and direct reply to the Deputy.

Medical Cards

541. **Deputy James Bannon** asked the Minister for Health the reason a person (details supplied) has not received a renewed medical card; and if he will make a statement on the matter. [6824/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Health Service Staff

542. **Deputy Tom Fleming** asked the Minister for Health if he will fill the post of domestic cook cleaner at a day care centre (details supplied) in County Kerry on a 39 hour week basis in view of the fact that the current situation is not acceptable and is a great inconvenience to service users who attend the centre from all parts of mid-Kerry; and if he will make a statement on the matter. [6844/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter the question has been referred to the HSE for direct reply.

Health Services

543. **Deputy Seán Kenny** asked the Minister for Health if Health Service Executive staff or clients are being moved out of a centre (details supplied); and if he will make a statement on the matter. [6862/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Accident and Emergency Services

544. **Deputy Seán Kenny** asked the Minister for Health his plans to refurbish the accident and emergency department of Beaumont Hospital, Dublin 9; and if he will make a statement on the matter. [6863/12]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

Hospital Services

545. **Deputy Seán Kenny** asked the Minister for Health the hospitals that currently have helipads and that are in use; and if he will make a statement on the matter. [6864/12]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

Medical Cards

546. **Deputy Seán Kenny** asked the Minister for Health the total number of medical card applications in Dublin in 2008, 2009, 2010 and 2011; the number of medical card applications granted; the number of Dublin applications awaiting processing; the number of applications refused; the average waiting time since the centralisation of the system; and if he will make a statement on the matter. [6865/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): The information sought by the Deputy is not readily available. However, I have asked the Health Service Executive to supply this information to me and I will forward it to the Deputy as soon as possible.

Health Service Staff

547. **Deputy Seán Kenny** asked the Minister for Health the number of overseas recruitment drives undertaken by the Health Service Executive in 2008, 2009, 2010 and 2011; the location of each recruitment drive; the number of nurses, midwives, social workers and so on recruited at each recruitment drive; and if he will make a statement on the matter. [6866/12]

Minister for Health (Deputy James Reilly): The HSE National Recruitment Service conducted a single overseas recruitment drive in India and Pakistan in 2011 for Non-Consultant Hospital Doctors. This initiative resulted in the recruitment of 290 doctors, of whom 236 were appointed in 2011 and 54 were appointed in 2012.

In 2008, seven Senior Speech and Language Therapists and two Senior Occupational Therapists were appointed from Australia/New Zealand, as a result of video link interviews following a recruitment drive in Australia/New Zealand in 2007.

No other overseas recruitment initiatives were conducted by the HSE in 2008, 2009, 2010 or 2011.

Hospital Staff

548. **Deputy Tom Fleming** asked the Minister for Health the amount that was spent on agency staff at Kerry General Hospital in 2011; and if he will make a statement on the matter. [6870/12]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

Medical Cards

549. **Deputy Terence Flanagan** asked the Minister for Health the reason for the delay in processing a medical card in respect of a person (details supplied); and if he will make a statement on the matter. [6872/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

550. **Deputy John McGuinness** asked the Minister for Health when a medical card will issue in respect of a person (details supplied) in County Kilkenny; if he will expedite the matter based on their medical condition and urgent need for hospital care. [6892/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

EU Directives

551. **Deputy Seán Kyne** asked the Minister for Health the progress made on the transposition of directive 2010/63/EU of the European Parliament and of the Council on the protection of animals used for scientific purposes; if he views primary legislation as the best method of implementing the directive, particularly as such a method stimulates and facilitates debate on topics of significant public interest; and if he will make a statement on the matter. [6911/12]

Minister for Health (Deputy James Reilly): Directive (2010/63/EU) on the protection of animals used for scientific purposes will strengthen the protection of animals still needed for research and safety testing. The Directive will also play a significant role in minimising the number of animals used and require alternatives to be used where possible, whilst ensuring a level playing field for EU industry and enhancing the quality of research conducted in the EU. The “Three Rs” principle of replacing, reducing, and refining animal testing is firmly anchored in the new legislation and this is something that I strongly support.

In July 2009, my Department provided an information note to the Joint Committee on European Scrutiny on the then proposed Directive and indicated that the transposition of the agreed Directive would be done by Statutory Instrument (i.e. Regulations). Section 2 of the European Communities Act, 1972 states that “acts adopted by the institution of those Communities shall be binding on the State and shall be part of the domestic law” while Section 3 enables the Minister to make Regulations to transpose Directives into national law. It is my view that this is correct mechanism to adopt but I acknowledge that there may be some matters which require primary legislation.

The Directive is required to be transposed into Irish law by 10 November, 2012 and to take effect from 1 January, 2013. My Department sought the views of the public and interested parties in July, 2009 on the proposed Directive. These views informed Ireland’s position as negotiations on the proposed Directive progressed at EU level. My Department again sought the views of the public and interested parties in October, 2011 after the adoption of the Directive. My officials have also met with industry and animal welfare groups on the Directive. Many of the provisions set out in the Directive are mandatory.

Health Services

552. **Deputy Finian McGrath** asked the Minister for Health if he will review a matter (details supplied) regarding Beaumont Hospital, Dublin. [6934/12]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

Rail Network

553. **Deputy Michael Healy-Rae** asked the Minister for Transport, Tourism and Sport if he will clarify a matter (details supplied) regarding the Dublin metro; and if he will make a statement on the matter. [6264/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): As Minister for Transport, Tourism and Sport I have responsibility for policy and overall funding in relation to public transport. Following the establishment of the National Transport Authority (NTA) in December 2009, the implementation and development of infrastructure projects in the Greater Dublin Area (GDA), such as Metro North comes under the remit of the NTA. I understand from the NTA that €154.5 million has been spent on developing the Metro North project to end 2011. The NTA advise me that most of this funding will retain its value when the project re-emerges in the future.

Obviously, the procurement process for the project would have to be re-run in the future and, depending on whether that would be a conventional or Public Private Partnership (PPP) process, the cost for such a major project would amount to several million Euro. However, in essentially all other respects, the investment to date in the project for which planning permission (Railway Order) has been secured will retain its value. This is relevant to work relating

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to design, railway order and statutory approval, land and property acquisition and advance works.

Large scale projects such as Metro North were not affordable within current funding constraints for inclusion in the Infrastructure and Capital Investment Programme 2012-2016 — Medium Term Exchequer Framework published last November. However, this project will be reviewed again in 2015 in advance of the next capital programme which will cover the period from 2016 onwards.

National Lottery Funding

554. **Deputy Dessie Ellis** asked the Minister for Transport, Tourism and Sport the work he is undertaking to ensure that grants from the national lottery are available to sporting organisations and to improve the knowledge of and availability of grants for sporting organisations here. [6287/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I recently announced that the Department of Transport, Tourism and Sport will be advertising two new rounds of the Sports Capital Programme between now and 2016.

I am currently making the necessary arrangements to launch a new programme. When the terms and conditions have been finalised, full details will appear on my Department's website and in the national press. It will be open to any organisation to submit an application under the terms and conditions that will apply at the launch of the new programme.

Tourism Industry

555. **Deputy Eoghan Murphy** asked the Minister for Transport, Tourism and Sport the standards in place for tour guides offering free tours here; if there are any regulations in place for the operation of foreign companies and personnel in the tour guiding sector here; and if a proper distinction must be established between information and education tours and what may be described as entertainment tours. [6308/12]

556. **Deputy Eoghan Murphy** asked the Minister for Transport, Tourism and Sport if the Government body for educating tour guides will continue in this role and if not, whether it is proposed that some other body will take its place; and his views of the possibility of introducing a diploma for tour guides. [6309/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I propose to take Questions Nos. 555 and 556 together.

There are no legislative provisions governing operations and standards in the tour guiding sector in Ireland. Like the provision of any other service, the consumer is protected by consumer protection legislation.

Fáilte Ireland operates a number of Tour Guide Training Programmes — A National Tour Guide Training programme certified by HETAC at Level 7 and a Dublin and Environs Tour Guide Training Programme certified by FETAC at Level 6. Tour Guides who successfully complete one of these programmes as well as completing a specified number of tours, which must be evaluated by a tour operator or employer, and who hold a current Occupational First Aid Certificate can become a Fáilte Ireland Approved Guide and apply for a Fáilte Ireland Tour Guide Badge.

I am satisfied that these programmes and the qualifications awarded are sufficient not only to provide participants with the communication and information skills necessary to offer a

quality tourist guiding service, but also to reassure the tourist as to the quality of the service on offer. The operation of these training programmes is a day-to-day matter for Fáilte Ireland. I have asked the agency to advise the Deputy of its future plans for these programmes. Please advise my private office if you do not receive a reply within ten working days.

Departmental Agencies

557. **Deputy Clare Daly** asked the Minister for Transport, Tourism and Sport the role of the aviation regulator; and the role, if any, it plays with regard to consumer complaints. [6333/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The Commission for Aviation Regulation was established in 2001 under the Aviation Regulation Act 2001. The principal functions of the Commission are the regulation of airport charges at Dublin Airport, and the regulation of aviation terminal charges levied by the Irish Aviation Authority.

Other regulatory functions include the licensing of air carriers, travel agents and tour operators, the approval of ground handling operators at the State airports and the implementation of certain aspects of Community legislation in relation to the allocation of aircraft landing and take-off slots.

In addition, the Commission is designated as the National Enforcement body in Ireland for EU rules under:

- Regulation (EC) 261/2004 (rights of air passenger in respect of, cancellation, delays and denied boarding), and
- Regulation (EC) 1107/2006 (the rights of passengers with disabilities and reduced mobility (PRM) when travelling by air),

and as such the Commission deals with consumer complaints arising from infringements of rights under these Regulations.

The Deputy may wish to refer to the Commission's Annual Report for 2010 which gives a more detailed account of the Regulator's activities in the area of consumer complaints during 2010 and which is available on the Commission's website www.aviationreg.ie. The Annual Report is also available in the Oireachtas Library.

Rail Network

558. **Deputy Dessie Ellis** asked the Minister for Transport, Tourism and Sport if he will confirm that funding will be made available for the building of a new bridge between Cabra and Finglas at the point locally known as Reilly's Bridge; and if he will make a statement on the matter. [6419/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): As Minister for Transport, Tourism and Sport I have responsibility for policy and overall funding in relation to public transport. In the Greater Dublin Area (GDA), funding for the implementation and development of public transport infrastructure projects, such as the development of the Maynooth line, is provided by my Department to the National Transport Authority (NTA) for allocation to projects and programmes.

Noting this I have referred the Deputy's question to the NTA for direct reply. Please advise my private office if you don't receive a reply within 10 working days.

Road Network

559. **Deputy Willie O’Dea** asked the Minister for Transport, Tourism and Sport if and when he intends to proceed to construction of the Limerick northern distributor road; if his attention has been drawn to the significant local opposition to the project; and if he will make a statement on the matter. [6460/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Firstly, I would like to explain that the improvement and maintenance of regional and local roads in its area, is a statutory function of each road authority in accordance with the provisions of section 13 of the Roads Act, 1993. It is important to note that works on such roads are a matter for the relevant local authority to be funded from its own resources supplemented by State road grants.

There are two phases to the Limerick Northern Distributor Road. Phase 1 relates to the Coonagh Knockalisheen Road around Moyross. This project is a crucial component of the Limerick Regeneration Plan. This project is progressing through the planning stages. The CPO was submitted to An Bord Pleanála in September 2010 and was subsequently approved by the Bord on 23rd September 2011. There is now a period of 18 months during which the Notices to Treat must be served. Limerick City Council have been allocated €2m towards this project in 2012.

In relation to Phase 2 of this project, it is my understanding that the emerging Preferred Route Corridor was presented at a public consultation in the Radisson Hotel, Ennis Road, Limerick, on Wednesday, 18th January 2012. Furthermore, information on the emerging Preferred Route Corridor for Phase 2 was on display with local authority personnel and representatives of Roughan and O’Donovan Consulting Engineers available to answer questions. All comments received at the consultation were recorded and there is an extended period until the 12th of March during which members of the public will be able to make submissions to Clare County Council. I would encourage members of the public to make their view known through this process.

In respect of regional and local roads my priority is to maintain the roads network. Due to the current financial circumstances, priority is being given to providing funding for projects which are already committed to and therefore it is unlikely that this project will progress any further than route selection at this time.

However, I understand this project is part of a long term plan for the economic development in for Limerick City and its environs within County Clare. Completing the route selection stage will enable the preservation of the route corridor for the project in the relevant local authority plans. This will enable the Council to progress this project in the future when further funds are available.

It should be noted that this project was proposed by the local authority concerned, Clare County Council and is supported by Limerick City Council and Limerick County Council. As Clare County Council is the relevant roads authority in this instance, they are the appropriate body with which to raise further issues relating to this road project.

Public Transport

560. **Deputy Peadar Tóibín** asked the Minister for Transport, Tourism and Sport the reason the Bus Éireann Navan bus service cannot use the port tunnel. [6488/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The issue raised is a matter for the National Transport Authority. I have referred the Deputy’s question to the

Authority for direct reply. Please inform my private office if you do not receive a reply within ten working days.

561. **Deputy Peadar Tóibín** asked the Minister for Transport, Tourism and Sport the time-scale for licensing the Bus Éireann Navan bus service to use the port tunnel. [6489/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The responsibility for the licensing of Public Bus Passenger Services was transferred under Statutory Instrument No. 566 of 2010 from my Department to the National Transport Authority (NTA) with effect from 1 December 2010.

In the circumstances, I have forwarded your correspondence to the NTA for its attention and direct reply. If you do not receive a reply within ten working days please notify my private office.

Road Traffic Offences

562. **Deputy Michael P. Kitt** asked the Minister for Transport, Tourism and Sport his views regarding the evasion of speed detection by motorists whose registration plates are obscured by the accumulation of weather-related material; and if he will make a statement on the matter. [6629/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Enforcement of speed limits, including any evasive actions taken by motorists to avoid detection, is a matter for the Garda Síochána.

Departmental Properties

563. **Deputy Brendan Griffin** asked the Minister for Transport, Tourism and Sport if a building (details supplied) in County Kerry is up for lease; and if he will make a statement on the matter. [6808/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The matter raised is an operational matter for Fáilte Ireland. I have referred the Deputy's Question to Fáilte Ireland for direct reply. Please advise my private office if you do not receive a reply within ten working days.

Rail Services

564. **Deputy Seán Kenny** asked the Minister for Transport, Tourism and Sport if he will contact Irish Rail regarding staffing at a ticket office (details supplied); and if he will make a statement on the matter. [6857/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The issue raised is a matter for Iarnród Éireann. I have referred the Deputy's question to the company for direct reply. Please inform my private office if you do not receive a reply within ten working days.

Road Network

565. **Deputy Seán Kenny** asked the Minister for Transport, Tourism and Sport the number of motorcycles, private cars, vans, coaches buses and so on that used each tolling plaza for the years 2009, 2010, 2011 and to date in 2012; and if he will make a statement on the matter. [6858/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The statutory power to levy tolls on national roads, to make toll bye-laws and to enter into toll agreements with private investors in respect of national roads is vested in the NRA under Part V of the Roads Act 1993 (as amended by the Planning and Development Act 2000 and the Roads Act 2007). Noting the position above, I have referred the Deputy's question to the NRA for direct reply. Please advise my private office if you do not receive a reply within 10 working days.

Tourism Promotion

566. **Deputy Seán Kenny** asked the Minister for Transport, Tourism and Sport the additional steps being taken in France and Germany to attract additional visitors to come to Ireland in 2012; the budget allocated to same; and if he will make a statement on the matter. [6859/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The matter raised is an operational one for Tourism Ireland Limited as the body responsible for promoting the island of Ireland as a visitor destination overseas. I have referred the Deputy's Question to Tourism Ireland for direct reply. Please advise my private office if you do not receive a reply within ten working days.

State Airports

567. **Deputy Seán Kenny** asked the Minister for Transport, Tourism and Sport the number of persons working for the Dublin Airport Authority earning more than €100,000 but less than €150,000; the number earning more than €150,000 but less than €200,000; the number earning more than €200,000 per annum; and if he will make a statement on the matter. [6860/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Other than the Chief Executive Officer, the salary levels of employees of the DAA, which is a commercial Semi-State Body, are a matter for the DAA and I have no function in the matter.

Rail Services

568. **Deputy Michael Healy-Rae** asked the Minister for Transport, Tourism and Sport in view of the fact that Iarnród Éireann has in recent times stopped taking freight, if a cost benefit analysis has been done to justify this move; if a cost benefit analysis has been done regarding the extra danger and damage that will be done to the roads by taking traffic off the railways and imposing it on the roads; and if he will make a statement on the matter. [6893/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Contrary to the Deputy's suggestion, I understand from Iarnród Éireann, that rail freight is in fact a growing part of its business. I have referred the Deputy's question to the company for direct reply. Please inform my private office if you do not receive a reply within 10 working days.