



# DÁIL ÉIREANN

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## DÍOSPÓIREACHTAÍ PARLAIMINTE PARLIAMENTARY DEBATES

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### TUAIRISC OIFIGIÚIL OFFICIAL REPORT

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*Dé Céadaoin, 25 Aibreán 2012.*  
*Wednesday, 25 April 2012.*

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

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*Paidir.*

*Prayer.*

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#### **Leaders' Questions**

**Deputy Micheál Martin:** It is accepted by many members of the Government that the handling of the water meters project has been diabolical and a shambles. The Minister for Transport, Tourism and Sport, Deputy Varadkar, has been upfront in apologising for the confusion. Flat charges, metered charges and usage charges were proposed and the prospect of cutting off water supplies was articulated by Ministers and Government spokespeople. We learned from the executive manager of Dublin City Council last week that up to 300,000 houses could not have water meters installed. More alarmingly, given the Taoiseach's comments last week in the Dáil, there is a divergence in the decision of the Government to ignore the central recommendations of the PwC report, on which it spent over €130,000 to recommend how a model would be established. In particular, the recommendation to set up an independent new utility company to oversee the water meter programme was ignored. It is clear from the PwC report that there will be significant job losses. Last week, the Taoiseach dismissed this aspect in a one sentence reply to me. I do not know whether the Taoiseach has read the PwC report and I will quote from it—

**An Ceann Comhairle:** We do not want quotations here, Deputy Martin, it is Question Time.

**Deputy Micheál Martin:** It is actually Leaders' Question, which concerns questions on matters raised. There is an important distinction between Question Time and this. The Standing Order is very clear.

**An Ceann Comhairle:** The Standing Order is very clear on quotations.

**Deputy Micheál Martin:** It says that when Irish Water is fully operational staffing will be significantly lower than the approximately 4,300 involved in water services today. It makes the point cogently yet the Taoiseach dismissed it last week. The PwC report was based on the 2006 census. The 2011 census highlights even further challenges for the Government in the project. Why did the Taoiseach ignore the recommendations of the PwC in respect of this issue? Will the Taoiseach pause the project and carry out a fundamental review of it?

**Deputy Mattie McGrath:** Turn off the taps.

**Deputy Micheál Martin:** We are proposing to spend €500 million, borrowing it from ourselves with no clear cost model published or any documentation except the PwC report.

**The Taoiseach:** Today is national job shadow day in respect of people in supported employment and I would like the House to recognise Cian O'Connor, who is shadowing me in my work in the Department of the Taoiseach. I happen to be one of hundreds of people being shadowed by people in supported employment and it is a good thing to do.

**Deputy Finian McGrath:** I hope he keeps a close eye on the Taoiseach.

**Deputy Mattie McGrath:** Who is watching Big Phil?

**An Ceann Comhairle:** I hope he does not get any bad habits listening to this.

**The Taoiseach:** I am not sure in whose shadow Deputy McGrath walks.

The question asked by Deputy Martin was why the Government did not accept the PwC in respect of setting up Irish Water. The Government considered the future resource of water and how it should be used quite some time ago. PwC was given the responsibility of producing a report in respect of the options. The Government considered it more appropriate to use the expertise in existing semi-State bodies with a proven record of dealing with consumers, clients, networks, accountants and bills when setting up Irish Water. The Government made its decision clearly that, first, a new entity would be set up as a public utility subsidiary of Bord Gáis Éireann — Irish Water — and that it would set out the details and strategy of how water resources can be used properly, efficiently and professionally for the good of the nation and the economy. As pointed out by the chief executive of Bord Gáis, serious engineering challenges must be dealt with. When Irish Water is set up, it will carry out its analysis and monitoring of what needs to be done from an engineering perspective and draw together the local authorities' different systems under a single system with national competence, which will be for the good of the economy. The Government made it perfectly clear that there will be no upfront charges until 2014. The details of these will be worked out by Bord Gáis Éireann and Irish Water and the Government will, in due course, make its decision with regard to the free water allowance to be given to every household. This means that those who are prudent and who conserve what is a precious resource should not find themselves in difficulty.

I was asked by Sinn Féin last week whether people's water supply might be cut off. Clearly they were looking for guarantees on that. If we gave a guarantee of that nature, people would feel they did not have to pay for anything. Water is a precious resource and we want to use it properly for the good of everybody and for the good of the economy, industry and business. There are demands for high levels of safe high quality water and that is what this is about. It is a structural change from the way water has been dealt with, provided and treated since the foundation of the State.

**Deputy Micheál Martin:** That is an entirely unsatisfactory answer. On what basis did the Government ignore the PwC recommendation?

**Deputy Colm Keaveney:** We do not want to privatise it.

**Deputy Micheál Martin:** If Deputies read it they will see the PwC had no mandate for privatisation.

**Deputy Emmet Stagg:** It had no mandate, but it suggested it.

**Deputy Micheál Martin:** If Deputies read it, they will see it was excluded from considering——

**An Ceann Comhairle:** Deputies should please address their comments through the Chair.

**Deputy Micheál Martin:** It was excluded in its terms of reference from considering a privatisation model.

**Deputy Pat Rabbitte:** Deputy Martin has read more documents in opposition than he ever did in government.

**Deputy Micheál Martin:** Whatever your plans are subsequently are a matter for yourselves.

**A Deputy:** Deputy Martin has a bit of reading to do himself.

**An Ceann Comhairle:** I ask Deputy Martin to please address his comments through the Chair.

**Deputy Micheál Martin:** The Taoiseach commissioned the report, but on what basis did he select Bord Gáis Éireann? Will he publish the research, the evidence, the model and the rationale for selecting Bord Gáis Éireann above anybody else? We have a paucity of any documentation, any business case and any research as to why we are doing this.

**An Ceann Comhairle:** The Deputy should put his question as we are over time.

**Deputy Micheál Martin:** He may have ideas about the principles of levying for water, but the fundamental point remains that we are going down the route——

**Deputy Brendan Howlin:** What has Deputy Martin against it?

**Deputy Micheál Martin:** I want to find out a bit more, Deputy Howlin.

**An Ceann Comhairle:** Please put the question. We are over time.

**Deputy Micheál Martin:** There is a basic requirement and prerequisite before any Government goes down the road of at least a minimum of €500 million investment. It could be multiples of that before we are finished, if one listens to executive engineers across the country or to the executive manager of Dublin City Council.

**An Ceann Comhairle:** Could we have a question? We are over time.

**Deputy Micheál Martin:** The only plan the Taoiseach has now on this is to pass the buck. What we are hearing now is that Bord Gáis is saying there are serious engineering challenges. The census has thrown up more challenges and some 300,000 houses cannot be metered and so on and on. There will be no charges before 2014. We are being told not to worry about the

[Deputy Micheál Martin.]

detail, as the regulator and Bord Gáis will take care of that. The Government wants to sidestep and move away from the issue. It is just trying to pass the buck for political reasons.

**An Ceann Comhairle:** The Deputy is over time. He should please resume his seat.

**Deputy Micheál Martin:** The country is owed more than that. I ask the Taoiseach to publish all documentation and all advice he has received on this project, from all Departments and agencies so that we can have an informed debate on the merits or demerits of the entire project.

**The Taoiseach:** We will have a debate on Thursday on this matter. Essentially, the question asked in this regard was what was the best thing to do in respect of dealing with water, water resources and the provision of water for the years ahead. The PwC report set out its view and the Government looked at the PwC report and read it, unlike some previous Ministers in previous Governments who did not read their brief at all. The Government came to the conclusion, in accordance with the programme for Government, that new entities and operations should not be set up where existing ones could do the job. Bord Gáis Éireann has a proven track record of great competence in dealing with thousands of consumers, national lines, accountants, bills and all of that and the Government decided it would be preferable to do it as a public entity under Bord Gáis Éireann and this was the clear decision of the Government. That decision keeps this in public ownership, with no intention, as will be demonstrated legally, of privatising Irish Water. This is very important for Irish people, businesses and the economy.

What is involved here is giving responsibility, not passing the buck. We are giving official State responsibility to Bord Gáis Éireann to set up Irish Water. This will be implemented through the Department of the Environment, Community and Local Government. Responsibility will be transferred to Bord Gáis Éireann, as Irish Water, to deal with this issue over the next number of years. No charges will apply until 2014 and all of the detail will be worked out. The Deputy is aware of the PwC report. The Government looked at that report and the question was whether to set up a brand new entity or use existing expertise and professionalism.

**Deputy Micheál Martin:** Will the Taoiseach publish all the advice?

**The Taoiseach:** The decision of the Government was clear. It was to set up Irish Water under Bord Gáis Éireann as a public utility.

**Deputy Mattie McGrath:** Water and gas do not mix.

**The Taoiseach:** While PwC made the report, that report was not accepted from that aspect by the Government and it decided to do it on the basis of setting up a public utility with an existing State agency with a clear track record of high competence.

**Deputy Micheál Martin:** Will the Taoiseach publish all the advice received?

**The Taoiseach:** We will have the debate here on Thursday.

**Deputy Caoimhghín Ó Caoláin:** A question in almost all conversations throughout the land today is why it is that the Taoiseach and his colleagues in Fine Gael and the Labour Party are pressing the people to change the Constitution to facilitate policies that are inflicting more and more misery on our people. Last week, the Irish League of Credit Unions published the results of a survey that showed that 47% of Irish homes had but €100 to spend following the payment of expected bills on a monthly basis. The Government is imposing more stealth taxes and charges on these same families. It is cutting health, education and social welfare, even for people with disabilities and special needs, a number of whom protested outside the gates of

this building yesterday. Without question, this is austerity in action and the Taoiseach is presiding over it. This approach is not working. We have growing unemployment and significant emigration. Make no mistake, we have a stagnant economy.

Will the Taoiseach withdraw the bogus threat that in the event of our voting “No” to the austerity treaty on 31 May, we will no longer be able to access funding under the ESM? This is the only argument I have heard from Government voices with regard to this treaty. Will the Taoiseach admit to the House that this threat and blackmail clause is not part of the austerity treaty on which we will vote on 31 May but is part of another treaty, the ESM treaty, over which the Government has the power of veto and which it can block.

**The Taoiseach:** I am not sure where the Deputy’s leader is today, the leader of the “No” campaign.

**Deputy Caoimhghín Ó Caoláin:** Thank you. He is acknowledged as such.

**The Taoiseach:** I will deal with the Deputy’s last question first. I understand that Deputy Pringle has decided to initiate proceedings in the High Court which include the seeking of an order to compel the State to hold a referendum on the ESM. He is also challenging the process to amend articles of the Lisbon treaty. Deputy Ó Caoláin should be well aware that the ESM is a funding arrangement and that it is not necessary to hold a referendum on it because it is a funding arrangement that is entirely compatible with the Constitution. It does not in any way limit sovereignty of the State in the exercise of its economic affairs, but merely indicates the State’s willingness to participate as an equal sovereign nation in the permanent stability mechanism.

I find it quite incongruous that a party like Sinn Féin would seek to take action with regard to the State giving people information about what is in this treaty and what it means. Deputy Ó Caoláin can take it from me the Government wants the citizens of our State to have all available information given to them in understandable form, so that they are properly and fully aware of the decision——

**Deputy Finian McGrath:** That is the commission’s job.

**The Taoiseach:** ——they must make on 31 May which is the most important decision the Irish people will make in a very long time because it is about our future, our country’s future and our children’s future. Deputy Ó Caoláin seeks to challenge this referendum in the court, on the basis that the Government is not acting in accordance with the McKenna judgment. On this occasion, unlike any other previous referendum, the Government will send every household in the country the exact wording of the treaty, in both Irish and English, together with a factual explanation of what the treaty is about. Separately, the Government parties will run their own individual party campaigns which will——

**Deputy Richard Boyd Barrett:** Who is paying for the website?

**The Taoiseach:** ——promote a very strong “Yes” campaign on the basis of asking the people on 31 May for their authorisation to ratify the treaty because of its importance to the Irish economy, to the future of our country and the future of every worker, business and person in the country. We make no apology for this. The treaty wording is being delivered to every household, together with a factual explanatory memorandum which is entirely in keeping with the McKenna judgment. This will be followed later in the course of the campaign with the delivery of a second leaflet.

[The Taoiseach.]

For the information of Deputy Ó Caoláin, at last week's meeting of the committee, I dealt with this matter in some detail when dealing with the Estimates for my Department. I explained to the members of the committee who were present at the meeting the Government expenditure on the factual information. There was no Sinn Féin representative at that meeting; Deputy Mac Lochlainn chose not to turn up.

**Deputy Sandra McLellan:** The Taoiseach knows why.

**The Taoiseach:** There was no objection raised either at the committee or when the Estimate went through the House on Friday last. For Deputy Ó Caoláin to say now that this is a blackmail clause about an austerity treaty smacks of absolute hypocrisy. I suggest he might inform Deputy Adams of that and he might also inform him that when he makes his proposition for a "No" vote, he should explain to the people of Ireland how he proposes that this country be run, how we should fund our services, how we should pay our people. He should explain the context for confidence in the future, given that Sinn Féin advocates a "No" vote in this referendum. The Government will provide factual information on the treaty to every citizen and the parties supporting this referendum will launch their own individual campaigns.

The Government has made €2.2 million available to the Referendum Commission which will act entirely independently in its work in informing people about the fiscal stability treaty.

**Deputy Caoimhghín Ó Caoláin:** For someone who claims that he wants to ensure full information, the Taoiseach did not answer any of my questions. He has offered no information this morning other than to regurgitate the same position and to utilise the argument of fear which is what he is proposing once again——

*(Interruptions).*

**Deputy Caoimhghín Ó Caoláin:** He has repeated the bogus threat, which is what it amounts to. I believe the people will see that it is bogus and they will have the courage, recognising it is not only in Ireland's interest but also in the interest of people right across Europe, to vote "No" on 31 May. How does the Taoiseach intend to put our public finances back in order? How does he intend to pay teachers, nurses and gardaí? This is a question he is very happy to put across this House but I put the question back to him. How does he propose to pay teachers, nurses and gardaí if this treaty is ratified?

**An Ceann Comhairle:** We are over time, Deputy.

**Deputy Caoimhghín Ó Caoláin:** This treaty will mean an additional €6 billion in cuts and taxes on top of the €8 billion in cuts over the next three years on the troika——

**Deputy Eamonn Maloney:** That is not true. That is rubbish.

**Deputy Arthur Spring:** Bad maths.

**Deputy Caoimhghín Ó Caoláin:** ——and indeed, along with the billions of euro the Taoiseach wants to continue to pay to the former Anglo Irish Bank and to other unsecured bank bondholders.

*(Interruptions).*

**Deputy Caoimhghín Ó Caoláin:** If the Taoiseach has to depend on the chorus of heckling which is very much a part of this expanded Government number here, since this Dáil was convened last year——

**An Ceann Comhairle:** I ask the Deputy to please resume his seat. We are over time.

**Deputy Caoimhghín Ó Caoláin:** ——that is a sorry reflection on the Taoiseach and his Government ministerial colleagues. Will the Taoiseach admit that the facts and figures I have outlined are the reality of the treaty if that treaty is adopted and if we are tied to a GDP structural deficit limit of 0.5% and an equally severe debt to GDP reduction target? Let there be no mistake, there is only one real troika on the floor of this House and that is the troika of Fine Gael, Labour and Fianna Fáil who want, once again, to pull the wool over the eyes of the Irish electorate.

**Deputy Robert Dowds:** Secretly, Deputy Ó Caoláin wants it passed.

**Deputy Caoimhghín Ó Caoláin:** People should be strong and vote “No” and they should use the opportunity——

**An Ceann Comhairle:** The Deputy should please resume his seat.

**Deputy Caoimhghín Ó Caoláin:** ——to put the record straight in this House and tell the truth.

**The Taoiseach:** I ask Deputy Ó Caoláin to note that the Government has set out to fulfil its mandate and its remit as in the programme for Government.

**Deputy Caoimhghín Ó Caoláin:** The Taoiseach got a mandate and he is a mile away from it.

**An Ceann Comhairle:** Please, Deputy.

**The Taoiseach:** Central to that mandate is to rectify the problem in our public finances. I know and understand — as does everyone — the challenge this places on our people and the difficulties that many people find with living up to that challenge, be it in terms of pay reductions or structural changes. These are issues we must address ourselves as a nation because nobody else will deal with it for us. Deputy Ó Caoláin proposes that the teachers, the gardaí, the public servants, county council workers, fire brigade personnel and everybody else can be paid from some phantom fund. If his proposition were to be carried through——

**Deputy Caoimhghín Ó Caoláin:** I have asked the Taoiseach how he intends to pay them when these conditions are imposed.

**Deputy Brendan Howlin:** Deputy Ó Caoláin should listen now.

**An Ceann Comhairle:** Sorry, Deputy Ó Caoláin, I ask you to please stop. You expect a bit of respect when you speak. I ask you to please allow the Taoiseach the same courtesy.

**Deputy Caoimhghín Ó Caoláin:** It is strange I got very little, Ceann Comhairle.

**The Taoiseach:** Deputy Ó Caoláin's suggestion seems to be that we take a real step into the unknown. This would restrict and prohibit Ireland from every having access to ESM funding should the country need it at some future date. He says it will be all right on the night and that they will bail us out at the end of the day.

**Deputy Caoimhghín Ó Caoláin:** That is not the case at all.

**The Taoiseach:** The Government is asking the people for their authorisation to ratify this treaty to guarantee Ireland's future. As regards paying the teachers, public servants and everybody else, the Deputy will be aware that €150 billion of European money is in circulation as liquidity in this country in order to keep those services going and to keep those salaries paid. This will continue as Ireland remains in its programme for the next two years. Deputy Ó Caoláin is saying that the access to that level of funding should be cut off at the end of that period.

**Deputy Caoimhghín Ó Caoláin:** That is not what I suggest and the Taoiseach knows well.

**The Taoiseach:** Today's economic statistics show that for the first time since 2007, job creation is now running at the same level as job losses. I am not happy with this because there are 445,000 on the live register. This is the reason we did not increase income tax nor did we increase taxes on work and employment. This is the reason we have put together 270 propositions for the improvement of the environment for business and job creation so that employers can take on new employees. This is the reason PRSI was reduced for lower paid workers so that it would be easier for employers to keep employing them. This is the reason VAT was reduced in the hospitality sector which resulted in 6,000 jobs being created. This the reason we have a deliberate and conscious effort internationally and Enterprise Ireland is helping exporters and there is a continued strong line of inward investment from companies such as PayPal, Microsoft, Mylan, Allergan and other companies—

11 o'clock

**Deputy Caoimhghín Ó Caoláin:** Vita Cortex, Lagan Brick and the Game stores.

**The Taoiseach:** —which are investing in our country. Deputy Ó Caoláin puts down the productivity—

**Deputy Caoimhghín Ó Caoláin:** The Taoiseach is ignoring it.

**The Taoiseach:** —the capacity and the potential of Irish workers by saying that he has no confidence in the country when other people from outside want to invest here because they recognise the potential and the work rate and the productivity of our workforce. We are very happy to support that. The Government will continue to make efforts to stimulate our indigenous economy so that young men and young women can go to work in their own townlands, towns and counties if that is what they wish to do.

Deputy Ó Caoláin does not support that proposition. He has never supported anything in this House. He wants to pay for nothing and votes against everything on the basis of swimming with the tide and attempting to be popular on all occasions.

**Deputy Richard Boyd Barrett:** Just like you did before the last election.

**An Ceann Comhairle:** I am sorry but we are over time.

**The Taoiseach:** The Irish people are much smarter than that. In my view, when they are given this information they will support Ireland's future and their own families' future, because that is what this is about.

**An Ceann Comhairle:** I would ask Members to respect speakers and also to adhere to the time limits.

**Deputy Shane Ross:** I would like to raise an issue which emerged at the weekend about disturbing activities in the Department of Finance. I refer to a story written by Daniel McConnell and Tom Lyons in the *Sunday Independent*—

**Deputy Eamonn Maloney:** It must be true so.

**Deputy Shane Ross:** —about activities that happened in the 2005 to 2007 period.

**An Ceann Comhairle:** Please allow Deputy Ross to continue.

**Deputy Shane Ross:** Even if this matter does not come under the auspices of the Department of the Taoiseach, I would like an assurance that such activities are not still going on. The Taoiseach may be familiar with the matter but for the benefit of the House I will explain it briefly. An assistant principal officer in the Department, who is also an economist, continually expressed warnings and reservations about the dangers of a property collapse and, following that, a banking collapse. Those particular warnings fell on deaf ears and were not just discouraged, but dismissed by senior officials above her. She was told not to put those particular views in e-mails because there was a danger they would emerge under the Freedom of Information Act. A pattern is emerging from memos she wrote of there being no room whatsoever for dissent from the prevailing conformist, consensus culture in the Department, particularly when she expressed reservations about the doctrine at the time of a soft landing. She was told that in answering parliamentary questions she was not, under any circumstances, to include stuff which was negative, but to redraft them and put a positive spin on them. Had she been listened to, we would today perhaps not be in the situation that we are.

**A Deputy:** We listened to you.

**An Ceann Comhairle:** Does the Deputy have a question for the Taoiseach?

**Deputy Shane Ross:** This is not something I blame the Taoiseach for, but I would like to ask him this. In his view, is that conformist culture still in operation in the Department of Finance? In his own experience of a year in office has he found that there is still no room for dissent in the Department, which obviously could be to the detriment of the nation?

**The Taoiseach:** I read the reports in regard to the matter Deputy Ross has raised. I recall that Deputy Bruton in particular, and members of the Labour Party, for years in opposition were pointing out the dangers of a property bubble and what might happen. Clearly some people in the public service were presenting memos pointing out those dangers. The political leaders of the day chose not to accept those recommendations or take heed of them.

The Chairman of the Committee of Public Accounts is preparing recommendations that will come to the Government for a full inquiry into this matter. We await those recommendations. Legislation in respect of whistleblowers is being worked on. The attitude has very much changed from what it was—

**Deputy Micheál Martin:** It would need to.

**The Taoiseach:** —in that this Government is very open to hearing the truth of the recommendations that people in the public service wish to make. Deputy Ross asked if there is room for dissent. There is certainly room for an opposing or alternative view. The Government's only focus is to make decisions that are in the best interests of the people and the country. Clearly this was a situation that was not acted upon, where at least one person made recommendations warning about the dangers that were there. That is part of the mess that we must now deal with as a legacy. I hope that for the future the structures we set in place will ensure that openness and responsibility are accepted by all, and that — far from being some kind of dictatorship — if there is an alternative or opposing view to a proposition in a Department, it

[The Taoiseach.]

will be listened to and discussed. The vested authorities of the Government will make their decisions in an open and democratic fashion in the best interests of the people and the country.

**Deputy Shane Ross:** I thank the Taoiseach for his reply. Can he give me a personal assurance that in future the woman in question will not be, as she describes herself at the moment, sidelined, ostracised or alienated in her job? She apparently feels so at the moment because of the pressures from above.

I am concerned about the fact, and I would be interested in the Taoiseach's views on this, that the Department of Finance at the time was so extraordinarily bullish. Was it simply parroting the optimistic views of its political masters because that is what it felt was its brief? I would be concerned that is continuing today. Specifically, the Department of Finance must be the only economic barometer in the world which is still saying that the Irish growth rate will be 1.3%. No one else takes that view.

**An Ceann Comhairle:** A question please.

**Deputy Shane Ross:** I hope the Taoiseach will reassure me that this is not happening and that the Department of Finance is subject to strict scrutiny. In future, this particular woman should be assured of protection not when the whistleblowers Bill goes through, but today and from now on.

**The Taoiseach:** I have dealt before with Deputy Ross in respect of the growth estimate of 1.2%. On that occasion, I said that these growth factors take into account a whole range of issues and are periodically reviewed. There is such a review due at the end of the month.

I do not want to talk about any individual in the public service. Suffice it to say, however, that the Government is intent on giving full protection to anybody in the public service who brings to attention or notice issues that should be in the public domain where anybody might attempt to do something illegal or wrong that they should not be doing.

**Deputy Mattie McGrath:** What about Deputy Peter Mathews?

**The Taoiseach:** Deputy Ross used to be pretty bullish himself about the chief executive of Anglo Irish Bank.

**Deputy Shane Ross:** As the Taoiseach was about Deputy Michael Lowry.

**The Taoiseach:** Indeed, but not as bullish as Deputy Ross was about somebody else.

**Deputy Shane Ross:** I will read it out for the Taoiseach if he wishes.

**The Taoiseach:** I would also point out to Deputy Ross that for the first time a new Department has been set up. The Department of Finance, as he knows, has been split into two Departments: the Department of Public Expenditure and Reform and the Department of Finance. There is a whole new attitude, focus and set of priorities within the Department of Finance. For the first time in many years, it is proactively engaging with organisations, individuals and bodies that have credible propositions for economic development and the good of the country. In that sense, between both Departments, there is a new regime in the way decisions are being taken concerning the development of the economy. Both Ministers have been intensively engaged with the troika on the memorandum of understanding and bringing about changes which have been negotiated for the betterment of our people and the economy.

I can assure Deputy Ross that everybody in the public service will have the full protection of the Government as of now. When the whistleblowers legislation is enacted it will strengthen that even further. We are fully supportive of that. I want the Deputy to understand that an opposing or alternative view is certainly listened to, discussed and taken into account before decisions are taken by the Government.

### **Order of Business**

**The Taoiseach:** It is proposed to take No.16, Social Welfare and Pensions Bill 2012, Order for Committee, Committee and Remaining Stages. It is proposed, notwithstanding anything in Standing Orders, that the Dáil shall sit later than 9 p.m. and shall adjourn not later than 10 p.m. Private Members' business shall be No. 32, Motorist Emergency Relief Bill 2012 — Second Stage (resumed) to conclude at 9 p.m. if not previously concluded.

**An Ceann Comhairle:** There is one proposal to be put to the House. Is the proposal that the Dáil shall sit later than 9 p.m. tonight agreed to?

**Deputy Micheál Martin:** Not agreed. Yesterday we raised the issue of the guillotining of Second Stage of the Social Welfare and Pensions Bill. What is proposed today is to take Committee and Remaining Stages of the Bill today and tomorrow. No separate time has been allocated between Committee Stage and Report Stage and 23 pages of amendments were presented to the parties in the House this morning. Yesterday we passed a special motion to deal with a series of amendments which represent almost a new Bill in so far as they were not considered by the original Bill.

**An Ceann Comhairle:** Sorry to disturb the Deputy——

**Deputy Micheál Martin:** I put it to the Taoiseach that we are not happy with the way the Social Welfare and Pensions Bill is being treated.

**Deputy Mattie McGrath:** Hear, hear.

**Deputy Pat Rabbitte:** You are not meant to be happy.

**Deputy Micheál Martin:** Spokespeople deserve adequate treatment and time to consider amendments to the Bill between today and tomorrow. It is being rushed through and guillotined. How it has been handled to date is a disgrace and it makes a complete mockery of so-called Dáil reform procedures.

**An Ceann Comhairle:** Sorry Deputy, perhaps I did not make myself clear. The proposal is that the Dáil shall sit later than 9 p.m. but there is no guillotine. The debate will run on and will not finish this evening.

**Deputy Micheál Martin:** There is a guillotine.

**An Ceann Comhairle:** That is tomorrow's business.

**Deputy Micheál Martin:** You can make that technical distinction but it is not the point. I said today and tomorrow.

**Deputy Paul Kehoe:** I know you will not be here tomorrow.

**Deputy Micheál Martin:** I will be here tomorrow actually.

**An Ceann Comhairle:** That is grand. There is no need to start again.

**Deputy Micheál Martin:** I am not starting again.

**An Ceann Comhairle:** I am only pointing it out.

**Deputy Micheál Martin:** I want to continue the point I am making on the Bill. It is unacceptable that 23 pages of amendments were tabled this morning. At the very minimum there must be a separation between Committee Stage and Report Stage——

**Deputy Pat Rabbitte:** Where were you for the past 14 years?

**Deputy Micheál Martin:** ——to facilitate the Bill being further amended on Report Stage. It is unacceptable how the House has been treated with regard to this Bill.

Every week the Minister for Social Protection does a U-turn on section 4, which is the section that tells lone parents they must get back to work when their youngest child reaches seven years of age.

**An Ceann Comhairle:** We are not debating the content of the Bill; we are talking about time limits.

**Deputy Micheál Martin:** Section 4 remains in the Bill and no attempt whatsoever has been made to amend it. It is more like a neglect of children provision than a labour activation measure which is the basis on which the proposal has been made. How the House is being treated is a disgrace with regard to this substantial Bill which raises substantive issues for a range of social welfare recipients.

**The Taoiseach:** Deputy Martin's heart is not in this protest and the reason is that for the duration of his 14 years in government every social welfare Bill was guillotined.

**Deputy Mattie McGrath:** Not to this extent.

**The Taoiseach:** In this case the question put by the Ceann Comhairle is that the Dáil shall sit later than 9 p.m. which gives all day today and tomorrow to deal with Committee and Remaining Stages of the Social Welfare and Pensions Bill which will go to the Seanad on Friday. Yesterday we debated a motion which will allow the amendments to be taken and for everybody to contribute to them all day today and tomorrow. From this point of view we should get on with it because it is an important Bill. People will have adequate time to make their points in respect of the amendments tabled.

**Deputy Micheál Martin:** Does the Taoiseach think it is acceptable that 23 pages of amendments were landed into the House this morning?

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

**Deputy Micheál Martin:** In terms of respect for the House is the Taoiseach suggesting——

**An Ceann Comhairle:** You will resume your seat and respect the Chair like every other Deputy.

**Deputy Micheál Martin:** I will resume my seat and respect the Chair as I always have but on a point of order——

**An Ceann Comhairle:** There is no point of order.

**Deputy Micheál Martin:** There certainly is.

**An Ceann Comhairle:** It is a simple rule.

**Deputy Micheál Martin:** There is a point of order. How do you know it is not a point of order? How do you know what I am going to raise as a point of order?

**An Ceann Comhairle:** The Deputy is not entitled to reply. I called on the Taoiseach to reply to the debate.

**Deputy Micheál Martin:** What is going on is unacceptable and the Ceann Comhairle knows it. We received 23 pages of amendments and it is an absolute disgrace. Does the Ceann Comhairle think it is enough time?

**Deputy Pat Rabbitte:** Where were you for the past 14 years?

**Deputy Niall Collins:** Do two wrongs make a right?

**Deputy Micheál Martin:** Is the basis on which Deputy Rabbitte proceeds that two wrongs make a right?

**Deputy Niall Collins:** That is good logic.

Amendment put:

The Dáil divided: Tá, 105; Níl, 18.

Tá

Bannon, James.  
Barry, Tom.  
Boyd Barrett, Richard.  
Broughan, Thomas P..  
Butler, Ray.  
Buttimer, Jerry.  
Byrne, Catherine.  
Byrne, Eric.  
Carey, Joe.  
Coffey, Paudie.  
Collins, Áine.  
Collins, Joan.  
Colreavy, Michael.  
Conaghan, Michael.  
Connaughton, Paul J..  
Conway, Ciara.  
Corcoran Kennedy, Marcella.  
Costello, Joe.  
Coveney, Simon.  
Creed, Michael.  
Crowe, Seán.  
Daly, Clare.  
Daly, Jim.  
Deasy, John.  
Deenihan, Jimmy.  
Deering, Pat.  
Donohoe, Paschal.  
Dowds, Robert.  
Doyle, Andrew.  
Durkan, Bernard J..  
Ellis, Dessie.  
English, Damien.  
Farrell, Alan.  
Feighan, Frank.  
Ferris, Anne.  
Ferris, Martin.  
Flanagan, Charles.

Flanagan, Luke 'Ming'.  
Flanagan, Terence.  
Fleming, Tom.  
Gilmore, Eamon.  
Griffin, Brendan.  
Halligan, John.  
Hannigan, Dominic.  
Harrington, Noel.  
Harris, Simon.  
Hayes, Tom.  
Healy, Seamus.  
Heydon, Martin.  
Howlin, Brendan.  
Humphreys, Heather.  
Humphreys, Kevin.  
Keating, Derek.  
Keaveney, Colm.  
Kehoe, Paul.  
Kelly, Alan.  
Kenny, Enda.  
Lawlor, Anthony.  
Lynch, Ciarán.  
Lynch, Kathleen.  
Lyons, John.  
Mac Lochlainn, Pádraig.  
Maloney, Eamonn.  
Mathews, Peter.  
McCarthy, Michael.  
McEntee, Shane.  
McFadden, Nicky.  
McGinley, Dinny.  
McHugh, Joe.  
McLellan, Sandra.  
McLoughlin, Tony.  
Mitchell, Olivia.  
Mitchell O'Connor, Mary.  
Mulherin, Michelle.

Tá—*continued*

Murphy, Catherine.  
 Murphy, Dara.  
 Murphy, Eoghan.  
 Nash, Gerald.  
 Neville, Dan.  
 Nolan, Derek.  
 Nulty, Patrick.  
 Ó Caoláin, Caoimhghín.  
 Ó Ríordáin, Aodhán.  
 Ó Snodaigh, Aengus.  
 O'Brien, Jonathan.  
 O'Donnell, Kieran.  
 O'Donovan, Patrick.  
 O'Mahony, John.  
 Perry, John.  
 Phelan, Ann.

Rabbitte, Pat.  
 Ross, Shane.  
 Ryan, Brendan.  
 Spring, Arthur.  
 Stagg, Emmet.  
 Stanley, Brian.  
 Stanton, David.  
 Timmins, Billy.  
 Tóibín, Peadar.  
 Tuffy, Joanna.  
 Twomey, Liam.  
 Wall, Jack.  
 Wallace, Mick.  
 Walsh, Brian.  
 White, Alex.

## Níl

Browne, John.  
 Calleary, Dara.  
 Collins, Niall.  
 Dooley, Timmy.  
 Fleming, Sean.  
 Grealish, Noel.  
 Healy-Rae, Michael.  
 Kitt, Michael P..  
 Martin, Micheál.

McConalogue, Charlie.  
 McGrath, Finian.  
 McGrath, Mattie.  
 McGuinness, John.  
 Moynihan, Michael.  
 Ó Cuív, Éamon.  
 Ó Fearghaíl, Seán.  
 O'Dea, Willie.  
 Smith, Brendan.

Tellers: Tá, Deputies Emmet Stagg and Paul Kehoe; Níl, Deputies Niall Collins and Seán Ó Fearghaíl.

Amendment declared carried.

**Deputy Micheál Martin:** I want to ask about the timelines for two important Bills, the first of which is the personal insolvency Bill. The Taoiseach will agree that thousands of people are in significant mortgage arrears or have significant household debt. This situation has been dragging on for a long time. There has been a lot of inaction. Can the Taoiseach outline to the House when the full draft of the personal insolvency Bill will be published by the Government? It is crucial and important for the thousands of people in this country who are under huge pressure with their mortgages.

Can the Taoiseach state when the public service management Bill will be published? Will it contain the measures that have been proposed by the Minister, Deputy Howlin, to cut or remove allowances from public servants across the board? There seems to be a particular focus on allowances like increments that are salaries, in essence. Any change in the allowances paid to teachers and nurses, etc., would have significant repercussions for the Croke Park agreement. It would be interesting to get an indication of when the public service management Bill will be published. It is designed to remove barriers to redeployment and provide for greater flexibility across the public service. Can the Taoiseach give the House a sense of what the Government is now proposing and what the contents of the Bill will be?

**The Taoiseach:** I can confirm that the heads of the second Bill referred to by the Deputy have been finalised for later in the year. He will be aware that the question of allowances is the subject of an ongoing review in the Department of Public Expenditure and Reform. I understand the Department has received over 800 business cases with regard to allowances.

The review is being conducted at the moment. The heads will be finalised. It will be later in the year.

The personal insolvency Bill is very complex. A Cabinet sub-committee was dealing with this yesterday. I cannot be definite but we hope and would like to get the Bill through Second Stage before the summer recess. It is very complex. We do not want a situation where the door is opened to thousands of cases blocking up the courts. There is a way of trying to negotiate this. The Office of the Attorney General is in direct contact with the Department. I assure Deputy Martin that the Departments of Justice and Equality and Finance are working very actively on this.

**Deputy Micheál Martin:** When the Taoiseach says he does not want thousands of cases, to what is he referring? Are we protecting the banks again or what are we doing?

**The Taoiseach:** No. It is to do with constitutional elements, in so far as personal insolvency is concerned. It is quite complex.

**Deputy Micheál Martin:** Deputy Michael McGrath's Bill is good and could be adopted quite easily.

**The Taoiseach:** The Minister of State with responsibility for housing is dealing with the mortgage-to-lease and mortgage-to-rent schemes. We have had discussions with the banks about their capacity to deal with the scale of the cases of mortgages in distress or arrears. They will report to the regulator by 4 May next. They will set out their perspective on whether parts of the borrowing sector fit into any of the categories for dealing with the mortgage distress involved. In other words, should the mortgage-to-lease or mortgage-to-rent schemes be used, or should other changes be involved? When they report to the regulator by 4 May next, we will get a much clearer perspective on the range and categories of the mortgages that are involved here. I note that one of the banks has put together a team of a couple of hundred personnel to deal with the range and scale of distress and arrears. It is a question of having people who are competent to sit down and deal with these matters. We are very cognisant of this issue. That is why I intend to drive it through the Cabinet sub-committee. I would like to think——

**Deputy Micheál Martin:** It is taking too long.

**The Taoiseach:** It is not as simple as the Deputy might imagine. There is a solution in all of these cases. There is a need to have competent personnel to sit down and deal with them. In many cases, it has been quite difficult to get the knowledge in respect of borrowers.

**Deputy Mattie McGrath:** It is too slow.

**The Taoiseach:** We will keep the House informed of developments in the discussions between the Departments of Justice and Equality and Finance and the Office of the Attorney General in regard to personal insolvency and in the report that will eventually come to the Financial Regulator after 4 May.

**An Ceann Comhairle:** I remind Deputies that as a result of the votes that took place in the House earlier, there are just four minutes remaining on the Order of Business before we move on to the Social Welfare and Pensions Bill 2012.

**Deputy Caoimhghín Ó Caoláin:** I would like to ask the Taoiseach about two Bills. Before I do so, I would like to set out the logic of Sinn Féin's position. We genuinely want more time

[Deputy Caoimhghín Ó Caoláin.]

to discuss the Social Welfare and Pensions Bill 2012. That is why we voted in favour of the proposal to provide for an additional hour this evening. We would like the Government to provide for more time to debate the Bill tomorrow and thereafter. I appeal to the Taoiseach to reconsider the proposition that the Government will apply a guillotine to the debate tomorrow. If that is what the Government intends to do, we will have to oppose it.

The first Bill I would like to ask about is that providing for the phased extension of the publicly funded general practitioner service without fees. The legislation in question was signalled for publication this year. It was indicated that it would be published in March. Since that failed to happen last month, we have not been given an indication of the timeframe for its introduction. Patients with long-term illnesses will be the first to be included in the phased extension of free general practitioner care for all. When can we expect the health (extension of eligibility for a GP service) Bill to be published?

The second Bill I would like to ask about is that providing for the abolition of the HSE board and the introduction of a replacement governance structure. It was to have been published in the spring session. We are now into the summer session. When will the HSE governance Bill be published?

**The Taoiseach:** The second Bill mentioned by the Deputy will be published in this session. It was expected that it might have been dealt with in the last session, but that was not possible. It will be dealt with in this session.

I can confirm that the Minister has received approval to draft the heads of the GP services Bill. The heads have not come back to the Government yet. The Minister is anxious to move on with the legislation as quickly as possible. I expect to see that Bill in this session too.

**Deputy John McGuinness:** The Minister for Public Expenditure and Reform, Deputy Howlin, indicated in February that he would introduce legislation on whistleblowers in the public and private sectors. I understand he made a presentation to a committee on the matter. I would like to get details of the timeframe in this regard. When will the Bill come before the House? I would like to place on the record my support for what Deputy Ross said and the Taoiseach's response to it.

**An Ceann Comhairle:** There is just over a minute remaining on the Order of Business.

**Deputy John McGuinness:** I hope the bullying and intimidation being experienced by a whistleblower, as set out in a report in the *Sunday Independent* last weekend, will not continue.

**The Taoiseach:** The heads of the Bill mentioned by the Deputy were cleared on 21 February. Work is now proceeding on the development of the detail of the Bill.

**Deputy Mattie McGrath:** When will the Minister for the Environment, Community and Local Government publish the waste water standards? Will the Taoiseach do so? Details of the number of people who contacted the Department during the consultation process, which ended on 31 March last, also need to be published.

**The Taoiseach:** I do not have a date for it.

**Deputy Mattie McGrath:** It has been promised.

**The Taoiseach:** I will ask the Minister to respond directly to the Deputy.

**Deputy Mattie McGrath:** It needs to be brought to a conclusion.

**The Taoiseach:** I am sure he will be in contact with the Deputy.

**Deputy Mattie McGrath:** No.

**Deputy Niall Collins:** He never comes in here.

**Deputy Michael Healy-Rae:** He will not talk to him at all. In recognition of the fact that a new association, Farm Contractors Ireland, is meeting public representatives today, I would like to ask the Taoiseach about the long-awaited Construction Contracts Bill 2010. This is an important issue because the contractors of Ireland are on their knees, particularly as a result of the high cost of fuel.

**An Ceann Comhairle:** We cannot have speeches.

**Deputy Michael Healy-Rae:** Can the Taoiseach clarify the status of the Construction Contracts Bill 2010?

**The Taoiseach:** Yes. It has gone through the Seanad. It will be debated on Second Stage in this House in the next two weeks.

**Deputy Bernard J. Durkan:** On promised legislation, I would like to ask the Taoiseach about the progress that has been made to date with the companies (miscellaneous provisions) Bill, the aim of which is to strengthen and streamline the functions of certain company law enforcement agencies and to make other necessary amendments to the Companies Acts. Given that there have been clear weaknesses in company law and its observance over the past ten or 12 years, would it be possible for the Taoiseach to indicate whether the heads have been discussed by the Cabinet?

**An Ceann Comhairle:** The time is up.

**Deputy Bernard J. Durkan:** When is the legislation likely to come before the House?

On the housing Bill, there are approximately 100,000 families——

**An Ceann Comhairle:** We cannot discuss that. We have exceeded the time allowed and must proceed to the Social Welfare and Pensions Bill. I call the Taoiseach.

**Deputy Bernard J. Durkan:** I am finishing now. The housing Bill is urgent also.

**Deputy Richard Boyd Barrett:** Hear, hear.

**The Taoiseach:** The housing Bill will be dealt with later this year. The heads of the Companies Bill were cleared in 2007. There are 1,400 sections therein. The vast majority of the Bill has been drafted and it will be dealt with later this year.

**An Ceann Comhairle:** That is all we have time for. The Deputies who have not been called may indicate tomorrow and I will try to facilitate them. I apologise to them. We must move on to the Social Welfare and Pensions Bill. Time is scarce.

### **Social Welfare and Pensions Bill 2012: Order for Committee Stage**

**Minister for Social Protection (Deputy Joan Burton):** I move: “That Committee Stage be taken now.”

Question put and declared carried.

**Social Welfare and Pensions Bill 2012: Committee Stage**

## SECTION 1

**Deputy Aengus Ó Snodaigh:** I move amendment No. 1:

In page 3, subsection (1), line 11, after “Welfare” to insert “(Miscellaneous Provisions)”.

This amendment should be accepted given the change reflected in the motion on this Bill yesterday. The motion indicates that the Minister introduced a range of other provisions into what was originally a social welfare and pensions (No. 2) Bill. It is not only the social welfare code and pensions that we are now dealing with and the Minister should accept this. We are dealing not only with changes to the one-parent family payment, but also, as the motion states, with changes to the “Social Insurance Fund, employed contributors and employment contributions, supplementary welfare allowance, offences, miscellaneous control provisions and proceedings, claims and payments, jobseeker’s benefit, appointments and duties of social welfare inspectors, social welfare [in general], miscellaneous provisions on budgeting, and occupational pension schemes”. The legislation also deals with the use of PPS numbers for purposes other than those intended. I am not quibbling in that regard.

My amendment is reasonable and short and reflects the practice regarding previous social welfare legislation that dealt with matters in addition to the social welfare code, which practice involved the use of the catch-all phrase “Miscellaneous Provisions” in the Title. A range of issues is covered in the Bill. We thrashed out last night that the legislation is being rushed. If we had had more time, the Minister would have captured the essence of this amendment.

**Minister for Social Protection (Deputy Joan Burton):** I do not propose to accept this amendment. I am informed by the Office of the Parliamentary Counsel that the current Title of the Bill, that is, Social Welfare and Pensions Bill 2012, is sufficient in regard to the various amendments to the Social Welfare Consolidation Act 2005 and the Pensions Act 1990 that are to be included.

The various Committee Stage amendments that have been proposed by Deputy Ó Snodaigh are covered by the current Title of the Bill. In the circumstances, there is no need to include a reference to “Miscellaneous Provisions” in the Title. When I announced and introduced the Bill, I pointed out the various amendments which, because of the timing of the Finance Act, we would unfortunately have to introduce. I apologise to Deputies for having to introduce the changes by way of amendment but such was the difficult parliamentary timetable in the context of the Finance Act.

I ask Deputy Ó Snodaigh and Sinn Féin to understand that these amendments contain some of the most significant and important changes regarding the fight against the small number of people who are defrauding the social welfare system in the most serious way. The Office of the Attorney General and my officials have worked really hard over the past year to bring forward these amendments, which, as I outlined to the House last night, achieve two objectives in particular, the first of which is to give power to social welfare inspectors at ports and airports to ask questions of people coming through who may be claiming social welfare but who are not resident in the country. I would expect to have the support of Sinn Féin and the other parties for that amendment.

Deputy Ó Snodaigh was very kind last night in praising the work of the officials. While I accept that compliment, I must state we have been discussing this issue at committee meetings and in this House since I became Minister. Considerable work has been done by the officials and the Office of the Attorney General to perfect an amendment that would give powers in this area. I apologise for not having been able to introduce the changes in the initial Bill.

However, in all my speeches and announcements, I stated what I desired would be achieved by way of amendment. I ask for the understanding of the Deputies in that regard.

The second objective is also of significance in the fight against the small number who scam the system. It is important that we address this; otherwise, confidence in the system among ordinary contributors and claimants who only claim what they are entitled to will be eroded.

Powers are to be given to social welfare inspectors to ask landlords questions where there is a rent supplement to ensure that the property in question is being used by the individual who gets the supplement. We have had indications that this is an area of particular risk and exposure in the social welfare system. I do not propose to accept the amendment but hope the Deputy will understand that, in light of the timing of the finance legislation, it was quite difficult to settle on wording in regard to the two issues I have raised. I am very conscious of the fact that Deputies on both sides of the House made representations to me through parliamentary questions, discussions and committee meetings to the effect that these issues should be addressed. Although I am addressing them in a tight timeframe, I am happy to say we are addressing them none the less.

**Deputy Sean Fleming:** I understand the Minister's officials have worked hard on the amendments. As she is aware, we finished Second Stage last night. I, and I am sure the other spokespersons, got an e-mail at approximately 10.50 p.m. last night containing the list of amendments. The list came to 23 pages, which is as long as the Bill itself. We are debating them now, although, essentially, we only received the list when we arrived this morning. That is, to say the least, unfortunate. The fact previous social welfare Bills were guillotined is no excuse to continue what was a bad practice.

The Minister said the Attorney General and the officials in her Department have worked very hard for the past year on this Bill, so why did these amendments take until midnight last night? Why could they not have been published on 3 April when the Minister published the Bill? We would have had the past two or three weeks to digest and understand them and possibly come forward with more considered amendments than we have had the opportunity to do. Essentially, we will not have the opportunity to table amendments to most of the Bill because it will be guillotined tomorrow. We do not even know at this point whether it will be possible to table Report Stage amendments. There was no reference to Report Stage on the Order of Business today. It just states Committee and Remaining Stages to be taken today and to be completed tomorrow. That has to result in bad legislation.

Clearly, the Minister is dealing with people who have a lot of financial resources in terms of some of the issues mentioned in the Bill and she wants to eliminate fraud. However, by rushing legislation through the House and by publishing amendments at midnight last night to be passed by the Dáil and to be sent to the Seanad on Friday, there is a high probability that there will be loopholes in the legislation because we did not have the extra few weeks. Will the Minister explain to me in simple English the reason the bulk of these amendments could not have been included in the legislation published a fortnight ago? It would have given us the extra fortnight and we might not have needed some of these debates.

**Deputy Aengus Ó Snodaigh:** The Minister has tabled amendments and I have said I am not opposed to some of them. We will deal with them when, hopefully, we get to them. My point, which is not a major one, is that we should include the words "miscellaneous provisions" in the Title because I tabled amendments which go slightly beyond the social welfare code and deal with child care and the proposal that this Bill be tied to the delivery of after school child care facilities. That falls slightly outside the Minister's remit and she said that on Second Stage.

[Deputy Aengus Ó Snodaigh.]

I refer to another amendment which is not on the list because we were still working to try to ensure this Bill captured some of those amendments to the social welfare system and the use of the PPS number. I resubmitted an amendment I tabled previously on PPS numbers being used for the electoral register. The Minister said at the time that the next social welfare Bill would address that. I accept there is a timeframe and that it is a struggle to capture everything in one Bill and I made that point yesterday. That is the reason the Title should include the words “miscellaneous provisions”.

The Bill covers a long list of issues. If one uses the words “miscellaneous provisions”, people understand it does not just cover one issue or two issues. The pensions issue is captured but major changes to the social welfare code are being introduced, some of which are welcome. As I said last night, some of them clarify current practice and ensure current practice continues or reflect changes which have happened and which need to be clarified. Technical changes happen on an ongoing basis. However, there are other changes in the Bill which are substantial and that is the reason I suggest it is a social welfare and pensions (miscellaneous provisions) Bill. I will not press the amendment because we have limited time. I thought it was a reasonable suggestion.

**Deputy Michael Healy-Rae:** I, too, voice my objection to what has happened. When we received the list of amendments this morning, it was actually warm off the printing press. It is unfair to put Members at such a disadvantage.

**An Ceann Comhairle:** Sorry, Deputy, we are speaking to an amendment.

**Deputy Michael Healy-Rae:** Yes, I am tying it into that.

**An Ceann Comhairle:** You are wasting time but that is your business.

**Deputy Michael Healy-Rae:** I want to raise the time issue with the Minister. The way the Government is handling this is unfair. It is not allowing proper debate among all of the Members who wish to contribute. We very much welcome measures in the Bill to help eliminate fraud, as would every right thinking person. I stand fully behind that. I also compliment the officials in the Department who did a lot of work but the time element is the issue. To come into the House with 23 pages of amendments is unfair and wrong.

Amendment, by leave, withdrawn.

**Deputy Joan Burton:** I move amendment No. 2:

In page 3, subsection (4), line 18, to delete “*Section 3*” and substitute “*Sections 9, 12, 14, 15, 16, 17 and 19*”.

The purpose of this amendment is to provide that a number of the provisions I propose by way of Committee Stage amendments come into operation by way of commencement order. In addition, arising from the Committee Stage amendment which I propose to introduce, section 3 which provides for the phased introduction over the period from April 2013 to April 2015 of the increase in the number of contributions required to become a voluntary contributor, there is no longer a need for a commencement order for section 3.

The new sections I propose to include in this Bill by way of Committee Stage amendments that are to come into operation by way of commencement order are section 9, which relates to the operation of the Revenue’s relevant tax and share options system; section 12, which relates to the entitlement of the mortgage interest supplement; section 14, which relates to the powers

of social welfare inspectors to make inquiries of landlords in regard to the investigations of rent supplement claims; and section 15, which relates to the strengthening of the provisions relating to authenticating a person's identity for the purposes of making social welfare claims and for the purposes of using personal public service numbers, PPSNs, and public service cards. Deputies will be aware that the Department is in the process of beginning the rollout of a public service card to every citizen in the country which will have an encrypted photograph so that when people go to social welfare offices, their identity can be properly established as well as their signature on the card. That is another important element in making our systems more secure and robust against fraud.

I also propose to include section 16, which relates to a change in the payment week for jobseeker's benefit purposes from a six-day week to a five-day week, and section 17, which relates to the further strengthening of the powers of social welfare inspectors to make inquiries at ports and airports. As I said, we have discussed that particular provision with many Members over a long period of time and it is very important that social welfare inspectors have the power to question people coming through ports and airports who are not resident in this country but who could be coming here to claim a social welfare benefit and then leaving the country shortly thereafter. It could be Irish people who have left the country but who come back.

Equally, they could be non-Irish persons who took up residence in Ireland and subsequently left but, for some reason, continue to claim social welfare wrongly. This is an important reform.

Section 19 relates to an extension of the household budgeting facility to cover other energy companies regulated by the Commission for Energy Regulation. The purpose of these commencement orders is to give sufficient time following the Bill's enactment for the necessary administrative procedures to be put in place before these provisions are commenced. I recommend the amendment be made.

**Deputy Sean Fleming:** I understand the need for commencement dates, but will the Minister indicate which provisions she expects to commence in this calendar year? I do not need to know the day, week or month. Which will be commenced next year or the year after?

The Minister has twice mentioned the issue of people from outside the State entering the country through ports and airports to claim social welfare to which they do not have a legal entitlement. Are many such people resident in Northern Ireland or is the Minister referring to people arriving on boats? Most people who enter Ireland can easily travel down from Belfast, a route on which there are no checks. Anyone who finds his or her way to England or Scotland can travel to Northern Ireland and get the train down and up again. It is possible that not all of the people involved in the activity concerned are travelling to Ireland by aeroplane or ferry.

**Deputy Joan Burton:** Ports as well.

**Deputy Sean Fleming:** The Minister might explain where the bulk of her concern lies. Obviously, she has a feel for the issue. Do these amendments relate to the major access points into the country used by people who abuse the system?

**Deputy Joan Burton:** These provisions will be ready to go almost immediately, whereas other changes will take a number of months to implement. For example, the provision moving the social welfare week from a six-day week to a five-day week akin to the working week will be enacted in July.

Regarding inspectors at ports and airports and inspectors questioning landlords, the critical aspect that I am trying to develop in the Department is a special investigations unit. My predecessors started this work some time ago, but we are trying to expand and strengthen it to focus

[Deputy Joan Burton.]

on specific risk areas. Recently, we identified up to 1,400 people travelling through ports and airports who, for one reason or another, were not entitled to claim.

There is another element. Gardaí, immigration officers and customs and Revenue officials work at ports and airports. It is key that social welfare officers be fully empowered to take part fully in inter-agency teams. Sharing information through such teams allows the most effective work to be done. This provision will enhance the powers to social welfare officers in that context.

While discussing this matter during our debate on last year's Bill, a question arose about whether senior departmental officials, senior inspectors and I required additional powers where there was a serious case of suspected fraud. This was the advice I received and I promised to introduce such a provision in the House. Following the lengthy and detailed discussions with the Attorney General's office regarding this Bill's strengthening measures in the battle against fraud, the Attorney General advised that, given that a working protocol had been worked out between the Irish Banking Federation, IBF, and departmental officials at the most senior level, namely, Assistant Secretary, principal officer and the head of the special investigations unit, the legislation enacted in 2009 by one of my predecessors was sufficient. I do not need to proceed with new legislation because the Attorney General has given a ruling. We are ready to commence this suite of measures almost immediately. They will allow for a considerable strengthening.

The PPS and social services cards comprise a longer term project. We started to roll it out last September on a trial basis in four offices around the country. Its roll-out will commence in full this year when we hope to issue several hundred thousand cards. Each card will contain a biometric-style photograph, be encrypted and carry a signature. The cards will be helpful to us. If new recipients of, for example, unemployment assistance and benefits want to sign on, they must visit their post offices or social welfare offices regularly. People will now be able to sign on electronically, which should considerably accelerate the administration, of which there is a great deal. The post offices are playing a critical role in this regard. After the cards have been rolled out, a recipient will be able to insert his or her card in a machine and an encrypted photograph of the person, for example, me, although that probably would not be very nice, would appear on screen. An official in the post office or the Department of Social Protection would be able to identify that the card's user was me and not my friend or someone else who was collecting the payment on my behalf because I had left the country and was far away. This is a critical measure and is being provided for in the Bill, but rolling it out will take a couple of years. The Bill's various provisions have different timelines.

**Deputy Aengus Ó Snodaigh:** This looks to be a technical amendment. Certain sections will enter into operation at some future point, in that the Minister "may appoint by order or orders either generally or with reference to any particular purpose or provision, and different days may be so appointed for different purposes or different provisions", but the full list of what is being facilitated by the amendment includes the changes to jobseeker's benefit and mortgage interest supplement in particular. I noted that the Minister concentrated on the changes that were, in many ways, logical. In the case of jobseeker's benefit and mortgage interest supplement, however, there has been little engagement with the sectors that help those who are in mortgage distress and must avail of mortgage interest supplement.

I do not know whether many Deputies managed to receive the submission from the Free Legal Advice Centres, FLAC, and the Northside Community Law Centre regarding this Bill. In those submissions, they highlighted what the Minister's changes to the mortgage interest supplement would entail. By denying access to the supplement for 12 months from the date on

which the arrears arise, many borrowers in trouble will inevitably leave the 12-month period in greater difficulty or arrears than they would had they been allowed to engage at an earlier stage when the full consequences of their distress occurred. The Minister is adding to the problem and their distress.

Although financial institutions follow a code of conduct in terms of mortgage arrears, it is not compulsory for lenders to offer an alternative arrangement. The arrangement might not be in place in some cases, however. I will deal with this issue in more detail when we come to the mortgage interest supplement but certain lenders do not even allow the mortgage holder to speak face-to-face to somebody. These proposals will put the onus on the mortgagee to engage but if the lender is making it difficult to engage this becomes an onerous responsibility. This amendment will allow the Minister to delay the implementation of section 1. Before she even considers triggering the operational date for the reformed rules, I urge her to give more consideration to the additional burdens placed on people who are already in distress by denying them access to mortgage interest supplement for 12 months.

The Minister had promised to make changes to the 30 hours per week rule for mortgage interest supplement in order to allow individuals to take up additional hours on a casual basis. At present they lose payments under the supplement if they take up work.

I hope we will have sufficient time to debate these provisions because it is vital that we have an opportunity to ask the technical questions which usually arise on Committee Stage in order to get information from the Minister or her officials, who have a greater understanding of the specific workings of these measures. This would not only allow us to allay some of our fears but the Minister might also learn more about the day-to-day impact of her proposals on vulnerable people. I urge her to consider my proposals on the mortgage interest supplement.

The amendment also deals with the proposed change to assessment basis of jobseeker's benefit from six days to five days. As I pointed out last night, this will result in substantial cuts for those who receive jobseeker's benefit. Once again the Government is putting its hands into the pockets of those who are in distress or have been reduced to two or three days of work per week. They will be penalised further for being underemployed.

I ask that the Minister delay the implementation of these measures until certain criteria have been met. I may attempt to cobble together a further amendment before Report Stage. Our time is so restricted that we cannot even pause to consider the Minister's response to the amendments tabled on Committee Stage in order to prepare further amendments for tomorrow's debate on Report Stage.

**Deputy Michael Healy-Rae:** The Minister wisely concentrated on the issue of fraud in her discussion of the changes she proposes to make. Nobody would argue with those changes but I wish to draw attention to the number of personnel that will be required in this area. Disabled and unemployed people are at home today waiting for a response to their applications to her Department. I ask for an assurance that these people's applications will be processed swiftly. That is not the case at present. I understand the Department is swamped with applications but ultimately there are people with young families who are dealing with social welfare officers and calling to their local offices because they need money to put food on the table, send the children to school and buy clothes and shoes. These people want the Department to act swiftly.

If the Minister is redirecting staff to work on cost saving measures, such as stamping out fraud, we welcome that because people should not get payments to which they are not entitled. However, we want people to receive the payments to which they are entitled in a timely manner. I urge her to balance the allocation of resources to reduce waiting times. She will be aware from her constituency work of the difficulties people face while awaiting payments. We are

[Deputy Michael Healy-Rae.]

lobbied on a daily basis by people with genuine difficulties in putting food on the table or paying electricity bills. They are facing serious hardships.

**Deputy Sean Fleming:** The Minister spoke about the extensive powers of social welfare officers. We have heard reports of inter-agency operations and are familiar with checkpoints involving gardaí and Customs and Excise agents alongside social welfare inspectors who are there to determine whether individuals are claiming social welfare payments. Given that such inter-agency groups are operating successfully, why do they have insufficient powers to work at airports?

**Deputy Joan Burton:** Social welfare inspectors do not have the necessary powers. This Bill gives them those powers.

**Deputy Sean Fleming:** They can work as part of inter-agency groups to investigate drivers on the side of a main road.

**Deputy Joan Burton:** Those powers may not be sufficient.

**Deputy Sean Fleming:** Are these powers included in this Bill or are they separate?

**Deputy Joan Burton:** They are included.

**Deputy Sean Fleming:** The Minister focused her comments on ports and airports. Will this measure increase the power of the social inspector on the street or road when a vehicle is being stopped?

**Deputy Joan Burton:** The list includes ports, airports, landlords of rent supplement tenants and identity cards.

**Deputy Sean Fleming:** I ask for an explanation of the provisions on encrypted photographs and electronic signing on. How will these provisions work, where can people sign on and will they require a camera in their houses so that they can be seen through the computer at the other end? Are we in danger of creating a technologically disadvantaged group of people? There is a direct parallel with the payment system for the household charge. People who have access to computers were able to pay the household charge on-line on a quarterly basis but those without access were financially disadvantaged in that they had to pay the lump sum upfront. With electronic signing on, there will be a fast-tracked easy system for people who are technologically——

**Deputy Joan Burton:** In the office.

**Deputy Sean Fleming:** So the person still needs to go into the office physically. I was concerned that they could do it remotely.

**Deputy Catherine Murphy:** Deputy Ó Snodaigh spoke about the criteria. Clearly the mortgage interest supplement is a very restrictive supplement given that a person must be working for less than 30 hours a week, and I know there are proposals to go slightly further than that. For people working up to 30 hours a week for 11 months, those in most trouble will be those whose mortgagors have a big interest element — mainly those who have taken out mortgages in recent years. Have the banks agreed to buy into this? If they have not, the criteria will be really important. A person, who goes back into full-time employment after 11 months and with whom the bank has not engaged, may end up in more extreme difficulty than would have been

the case if he or she had got the kind of support we are discussing. We can all think of such cases. If this provision is put in the Bill, will checks and balances be put in place before the Bill is signed into law or is it something that will come into effect immediately?

**Deputy Richard Boyd Barrett:** These two amendments, relating to jobseeker's benefit and mortgage interest supplement, deal with two groups of people who have been hammered by the current recession — low-paid workers and people with mortgage difficulties. I am concerned that amendments are introduced at the last minute and we have not had enough time to consider the possible ramifications. We do not have sufficient time to table amendments and debate the matters properly. These provisions could have an adverse effect on two sections of society that have already been hammered and do not need to be hammered further.

The change to jobseeker's benefit just looks like a cut to the low paid. What is the rationale for introducing such an amendment at such a late stage? Can the Minister give us a guarantee that people, who will now lose entitlement to mortgage interest supplement as a result of this amendment, will not find themselves in greater difficulty if the banks are unwilling to facilitate them with some sort of moratorium on their interest payments?

**Deputy Joan Collins:** People only apply for mortgage interest supplement if they are in a dire situation and have lost their jobs. They are dealing with the ramifications for their families of reduction in income, including having to approach the bank and go through the MARPS process. We have nothing in place to assist people in dealing with these big institutions although there is talk of an insolvency Bill. We are now told that people will not be able to access mortgage interest supplement, which they will need on the first day they lose their jobs. It is not acceptable for a Labour Minister to consider doing this. I understand that 17,000 households accessed it in 2010. Originally it was a very small amount. Obviously it was introduced a number of years ago during the so-called Celtic tiger years as a protection for people. Now that that protection is needed it is being taken from them for the first 12 months they are unemployed. It is one of the most vicious and nastiest cuts we have seen in the Bill.

The change to jobseeker's allowance affects the most vulnerable. Many people are working three days a week and avail of the extra money they get in jobseeker's allowance. This has greatly helped them in being able to adjust to their changed circumstances. For such a small amount, why is this cut being made? This is a Bill of 100 little cuts across the board that are impacting people in their pockets at a time when they most need it. I ask the Minister to explain her need to do this or else remove it as otherwise we will oppose this section of the Bill.

**Deputy Joan Burton:** A number of Deputies asked about the mortgage interest supplement on which I will give some background. The purpose of mortgage interest supplement is to provide short-term support to eligible people who are unable to meet their mortgage interest repayments in respect of their sole place of residence usually because they have lost their job. The supplement assists with the interest portion of the mortgage repayments only and the capital repayment is not taken into account in calculating the amount of the supplement. Approximately 18,000 people are in receipt of mortgage interest supplement, an increase of 340% since 2007. This year we will spend more than €50 million on the mortgage interest supplement.

The Department reviewed the administrative, policy and legal aspects of the mortgage interest supplement scheme and this review was published in July 2010 in conjunction with the interim report of the mortgage arrears and personal debt review group — the Cooney report. The final report of that group was published in November 2010 and its recommendations were considered by the interdepartmental mortgage arrears working group under the chairmanship of Mr. Declan Keane whose report was published in October 2011. The Department supports

[Deputy Joan Burton.]

the key finding of that group, which recommended these changes in the mortgage interest supplement.

When budget 2012 was introduced I announced this change and gave considerable detail. The amendment provides that a person shall not be entitled to the supplement unless, at the time of making an application, a designated person — usually somebody from MABS — is satisfied that the person making the application has engaged with his or her mortgage lender in order to meet his or her mortgage repayment obligations. In any debt settlement process the debtor and lender need to engage with each other. It is not possible to reach resolution or help the person who has fallen into debt and fallen behind in mortgage repayments unless the lender — the bank or mortgage agency — will engage. That is why both reports strongly recommended this approach which provides a mechanism for getting the financial institutions to engage with people who because they have lost their job or for some other reason are unable to meet their mortgage commitments. The purpose of the Department's scheme is to help them with the payment of interest.

The person is required to have engaged with the bank and entered into and to be complying with an alternative repayment arrangement in respect of his or her mortgage repayment obligations. The applicant must have completed repayments for a cumulative period of not less than 12 months. The underlying principle is to ensure the mortgage arrears resolution process, MARPS, functions alongside State supports. Many Deputies will have had dealings with the Money Advice and Budgeting Service, MABS. MABS is empowered to work towards the resolution of banking debts for individual families, which is what Deputies are concerned about. It is authorised to ask the borrower and the lender to engage in the mortgage arrears resolution process, which is something this Government, and indeed my predecessor, was trying to work towards. The arrangements are now there, in this legislation, to achieve this. I have had opportunities to visit quite a number of MABS offices around the State, including in Dublin, Sligo and Tralee, and I have talked to those who are at the coalface, helping people who are in arrears to negotiate restructuring plans with the bank. As Deputies know, the Government is currently preparing detailed, technical insolvency legislation to help people to keep their family homes and structure their way out of arrears.

Deputy Ó Snodaigh referred to the Free Legal Advice Centres, FLAC. I attended the conference it ran last week — I do not know if the Deputy was there — and I have had detailed discussions with FLAC and, I am happy to say, with the Northside Community Law Centre and other public interest law centres as well as with MABS, because their insight into dealing with debt is important. I have also spoken to people involved in the chartered accountants' voluntary assistance scheme and barristers who are involved in voluntary assistance schemes, because I share the concern of the Deputies that this must be dealt with. Unless we can ensure that lenders, that is, banks and financial institutions, seriously enter into negotiations and dealings with their customers, we will not be in a position to help those customers. Mortgage and debt resolution is a complicated issue, but at the basic level one must have two parties who are willing to engage so they can come to an arrangement that protects the family home while helping the individual who is suffering the weight of indebtedness. In most cases this indebtedness arises from the fact that people took out mortgages to buy properties at very high prices at the height of the boom, because they thought they were doing the right thing, and then found they had lost their jobs or another source of income and were no longer able to service their mortgages.

We have to work at persuading the lending institutions, in particular, to engage. This is what both groups dealing with mortgage arrears suggested, and the Department examined it in detail. The previous Government accepted the recommendation, as has this Government. It is critical

to helping people who are in mortgage difficulties. This is what the amendment is about. I hope it will be of significant assistance because, in order to obtain the mortgage interest supplement, the lender will have to engage in the mortgage arrears process. Most Deputies will be aware that when people go to MABS with difficulties, the MABS officials help them work through the source of the difficulties, their income and what they have the capacity to pay. Simply to have an automatic commitment to giving mortgage interest supplement to the lender, even if the lender does not engage with the borrower, is not necessarily best practice. This provision is supposed to help people by ensuring they go into the mortgage resolution process. If Deputies have had opportunities for contact with MABS they will know that a feature of the recession is that people have complex debt. They do not have only mortgage debt but also car loan debt, credit card debt, credit union debt and, in some cases in which people were self-employed in the construction industry, business debt. In the latter case, they may have complicated arrangements about using their family homes as collateral for this debt.

**Deputy Richard Boyd Barrett:** What about jobseeker's benefit?

**Deputy Joan Burton:** Deputy Healy Rae spoke about the large volume of applications for social welfare supports, and a number of Deputies mentioned the issuing of the personal services card. The systems of the Department in a number of areas are currently being updated, as I mentioned in the House before in reply to parliamentary questions. I appreciate there has been a major increase in the volume of applications across all areas of social welfare. We started the roll-out of the personal services card on a trial basis last September, and we expect a large volume of cards to be issued this year — a couple of hundred thousand. My predecessor instituted the practice of requiring people to sign on in person at offices more frequently than was the case before the downturn, because of the large volume of new applications. In addition, payments are made via post offices because, particularly in local areas, the post office probably has a reasonable chance of knowing the people collecting the payments. Electronic signing will take place at offices; it will not be done remotely. We do not have that technology, but in any event I do not think it would be advisable. Signing on will be done electronically rather than on a piece of paper which then needs to be filed. This should improve the speed at which local social welfare offices can operate and result in better record keeping. We expect several hundred thousand of these cards to be issued this year, and the roll-out will be completed over a couple of years.

Anybody involved in the social welfare area knows this card has been talked about for at least ten years. Like Deputy Fleming, I was a member of the Committee of Public Accounts, and I remember departmental officials coming in many years ago to show us the card. When I became Minister, I wanted to know where this famous card was. Happily, last September we began the process of issuing cards, and it will be completed over a couple of years. Ultimately, everybody in the country will have one of these cards, because everybody gets a PPS number when he or she is born or enters the country to become a resident.

**Deputy Sean Fleming:** The Minister might clarify one point with regard to mortgage interest supplement. This provision will come into force on the commencement date chosen by the Minister. I understand that at the moment, a person with a certain level of income is eligible for mortgage interest supplement, through the Department, as a support. Are we now essentially giving the banks a veto, that is, the power to say whether a person can receive this supplement? That is how I read this. The Minister is assuming the banks will operate in absolute good faith. Up to now, a person with low income, say in the €20,000 bracket, whose repayments constitute a certain proportion of his or her income, became eligible for mortgage interest supplement based on his or her financial situation. Sometimes that supplement prevents people

[Deputy Sean Fleming.]

from going into arrears. It is important. Now the Minister is saying, if I understand correctly, that people will need to be in a forbearance arrangement, which implies they are already in arrears, before they can receive this supplement, and lenders will have to engage with borrowers. Up to now, this arrangement was based on a person's financial situation and was a matter for the applicant and the Department; now, the bank must be happy with the arrangement if the person is to receive the supplement. By definition, it has a veto. Some banks may be fully helpful. Today the Taoiseach mentioned that one bank will have 300 staff working in this specific area. The Minister mentioned the Cooney and Keane reports. The Minister for Finance announced there would be 100 designated people who would be intermediaries between the borrower and the bank because the two parties are not on an equal footing, financially, legally or when it comes to negotiations. That has not yet been implemented. Is the Minister now stating she is introducing a new arrangement? In my view, she does not believe Irish banks always operate in absolute good faith for the sole benefit of the poor distressed mortgage holder. If that was the case we would not be here today. I might still be over on the other side and the Minister might still be on this one.

I know of nobody in Ireland who trusts the Irish banks which have made a hames of their own operation, as many continue to do. They were given €5 billion by the Irish taxpayer as part of their funding. This was to trickle down to distressed mortgage holders but none of it is doing so. The banks got the €5 billion and want to bank it. Now they want the Minister to finance any arrangements they must make to help distressed mortgage holders. She is turning around and making an arrangement whereby the banks will be given a veto on people in the most difficult situations who may be trying to stay out of arrears and any forbearance arrangement. Is my way of looking at this not a valid way to put it? The Minister should not give me the benign view from the banks' side.

**Acting Chairman (Deputy Peter Mathews):** Before the Minister responds to that, I point out that Deputies Ó Snodaigh, Murphy, Collins and Boyd Barrett wish to come in with supplementaries. Would she prefer to deal with Deputy Fleming's point or wait for further contributions?

**Deputy Joan Burton:** If it is helpful to the Deputies I will outline the process, briefly. They may be aware there is a code of conduct on mortgage arrears. Those of the Deputies who may have attended the very good free legal aid centres, FLAC, conference on this issue recently, or people who have worked in debt settlement, will know one must get the lenders to engage. At present, we are paying more than €50 million a year in interest to the banks. If the Department of Social Protection, which is very hard-pressed for money, is giving the banks more than €50 million a year, we are entitled to ask — and so am I, as Minister — that for this we should get engagement. That is how one does business with banks.

**Deputy Sean Fleming:** The borrower is the meat in the sandwich.

**Deputy Joan Burton:** It has been agreed that the code of conduct on mortgage arrears applies to the mortgage arrears lending activities of all regulated entities except for credit unions. By and large, the credit unions have agreed to this but equally, by and large, they do not offer full mortgages. In fairness to them, however, they have been putting mechanisms in place. People tend to have loans with credit unions which may be to furnish houses but the institutions are not mortgage providers. All regulated entities operating in the State have signed up to the code of conduct on mortgage arrears. The definition of these is a financial services provider, authorised, registered or licensed by the Central Bank of Ireland, or a financial services provider, authorised, registered or licensed in another EU country or EEA member state which has provided or is providing mortgage lending activities in the State.

To be clear to Deputies, the code applies to all financial providers which provide mortgage lending activities. Under the mortgage arrears resolution process, each branch, or office of a lender in the case of a lender who does not operate a network, must have at least one person with specific responsibility for dealing with arrears and pre-arrears cases and for liaising with the lenders' arrears support unit in respect of these cases.

**Deputy Richard Boyd Barrett:** From where is the Minister reading this?

**Deputy Joan Burton:** We have a structure which has been developed. However, one knows from talking to people that there is still a belief there is not enough engagement by the lenders. The mortgage arrears resolution process is to help lenders. I refer in particular to the work done by people in the MABS offices. Obviously, the mortgage, the roof over people's heads, is the most important element and the Government is seeking to ensure that remains the case. Why should the Department of Social Protection pay out large volumes of interest to lenders unless the lenders are engaging in the process? Engaging in a process is really helpful to people who are in debt. The authorised people in MABS are doing that and very detailed arrangements are being developed, particularly by my colleague, the Minister for Justice and Equality, Deputy Shatter. This should significantly improve and strengthen the process of helping people who, unfortunately, are in difficulty with their mortgage and whose lender must engage, for all the reasons different Deputies have mentioned. The lender has to engage with the process.

**Deputy Aengus Ó Snodaigh:** In her contributions, the Minister suggests there should be an engagement and that the entitlement would be gained after engagement. I do not know anybody in mortgage distress, on reduced working hours or unemployed, who would not willingly engage with his or her lender. The problem, as the briefing note suggests, is that for somebody to qualify for mortgage interest supplement there must be more than an engagement. That is the key point. One can engage all one likes with a bank but if the bank is not willing to enter into an arrangement, currently there is no requirement or obligation on the institutions to enter into one, or even to offer an alternative arrangement. If they refuse, they can write a little note and somebody will look at it and say, "You are bad boys," and so be it.

The Minister has presented this onus as a good thing. Here are the Minister and the Department forcing the banks, the lenders, to engage. Nobody denies the right of the Minister and the Department to force banks — given that we own most of them at this stage — to deliver for the people whose present distress, in many cases, they have caused. If there was an amendment in front of us stating that banks had to enter into, or were obliged to come up with an arrangement, then there would be something we could properly consider.

Another point is that arrears will continue to develop for 12 months before there must be engagement and compliance with a repayment arrangement. The latter comes afterwards. If one goes to the bank in the morning, the manager will not say, "There you are, you're all sorted, there's the arrangement". Anybody I know has had a number of months engagement with the bank prior to successfully coming up with an arrangement. The time in question does not involve only the 12 months but the period before, when the arrears are mounting. In some cases, people are 18 months in distress before they can get access to a mortgage interest supplement. This is restrictive and that is where the problem lies. If one could get mortgage interest supplement at an earlier stage it might deal with the problem. The Government has promised to deal with mortgages. This system is similar to the way the rent allowance scheme originally was, namely, a short-term solution to try to help to alleviate a problem until such time as a person found work or some other arrangement. That does not happen. That deals with the mortgage interest supplement.

[Deputy Aengus Ó Snodaigh.]

Regarding the section dealing with jobseeker's benefit, if we have a proper debate on Second, Committee and Report Stage, with gaps between the Stages, I would have tabled parliamentary questions to find out the number of people affected and whether the people who will lose out are able to claim the family income supplement. The 30 hour rule means they qualify for the family income supplement because they are still working.

The Bill deals with commencement orders and my argument is that we should delay commencement of any of these sections without full knowledge. We have not looked at them properly. The Minister referred to the FLAC conference. People attended on my behalf because I was not able to attend. FLAC does laudable work and it has made presentations to my party on this Bill at short notice. The Minister acknowledged the insight of FLAC into people dealing with debt as invaluable but she is not listening to their recommendations, one of which is: "That no proposals to further limit Mortgage Interest Supplement be enacted, at least until an overall package of supports is available to ensure the protection of borrowers who have the capacity to remain in their homes with appropriate targeted support." FLAC is saying not to proceed with this because the Minister's proposal is limiting it. FLAC also suggests: "Recommendations to remove inappropriate restrictions on Mortgage Interest Supplement should be implemented immediately." and "Mortgage Interest Supplement should be targeted at people with sustainable mortgages who can potentially meet their mortgage interest payments with some assistance." The Minister should not proceed because the overall package of support is not available.

**Deputy Catherine Murphy:** No Member disagrees with the principle of the banks engaging but the manner in which it is occurring is the cause of concern. One of the major criticisms during the debate on the Keane report came from FLAC, New Beginnings and others who had recommendations to make but were not part of the report. Most of us pay attention to what they say because they are at the coalface. They reflect the issues raised with us at an individual level but with a broader view. Borrowers are already in a distressed situation because they are unemployed or underemployed. The need for mortgage interest supplement is growing because people are unemployed or underemployed and we have not managed to get more people back to work. This is leading to an increase in the requirement for social welfare payments. The borrower is asked to deliver proof. How can one prove the bank is engaging with the customer? Will there be sufficient people to——

**Acting Chairman (Deputy Peter Mathews):** There is a message prompt sound from someone's phone and it should be turned off.

**Deputy Catherine Murphy:** It is my phone, I am sorry.

**Acting Chairman (Deputy Peter Mathews):** It is for Deputy Murphy's comfort.

**Deputy Catherine Murphy:** I imagine a situation where someone will lose a job after the Bill is enacted. Instead of having some level of support for the mortgage, the person must go to the bank and it depends on whether the bank engages with the person. Interest on the mortgage will increase every month while people are awaiting a decision. Is there a possibility of the decision being backdated? Will it start from 12 months on or from the time there is buy-in from the banks? None of that is clear. The briefing note is contradictory and other speakers will make the same point. The concern is that the individual is isolated. The person must go to the bank and must be considered on a one-to-one basis and much depends on how banks treat people. They may add the person to a queue or may deal with it in a reasonable time. People will become further distressed.

If the mortgage is restructured, does it have an impact on the amount paid in interest? The fact that it is a restructured mortgage has an impact on how much interest is paid because some interest will be deferred. That point is not clear.

**Deputy Joan Collins:** I am trying to tease out this point. The only time I came across mortgage interest supplement was when people had had an accident at work and were sick in the long term. They needed the short-term mortgage interest supplement to get over the hump.

*I o'clock* Now, it has become a long-term issue because of people losing jobs left, right and centre. They need mortgage interest supplement in order to keep going. My understanding is that the bank does not consider a customer to be in distress if the customer is paying the mortgage. The bank will not contemplate having a discussion about putting off two repayments in order to get over a hump. The banks will not engage unless the mortgage is three months in arrears. The original measure provided that the person had access to the mortgage interest supplement scheme for the first 12 months while the person is involved in the mortgage arrears resolution process and this has changed to a requirement on the person to be engaged with the bank or moneylender before the mortgage interest supplement is paid. A better way of putting that is that as soon as the person applies for the mortgage interest supplement, the banks must engage. As soon as the person has made the application, the person is in difficulty and interest must be paid. The Minister gave the banks the mortgage interest supplement and should oblige the banks to engage with the person or family. If I go to the bank tomorrow saying that I have a debt problem I am trying to get over, the bank will not engage with me if I am paying the mortgage every month. Most people are paying their mortgages until they are unemployed. Everything looks okay, even if they have some debt problems, until they find themselves unemployed. The person may be able to pay two or three months but then drifts into problems. Then, the person can look for mortgage interest supplement.

That is the way it should have been approached. That clarification should have been made. I presume anybody out sick for a short term will still be able to access the MIS as a natural process, although I know it is difficult to get it. The approach should have been that once a person applies for a mortgage interest supplement, on the basis of a job loss or whatever, the bank must engage with that person, because the person could still be paying the mortgage.

**Deputy Richard Boyd Barrett:** The more one looks at this, the more one realises how unacceptable it is that this debate is being limited in the way it has been and that these amendments have come forward so late leaving us with so little time to consider them and put forward further proposals. We are dealing with a serious issue that affects a growing and vulnerable group of people who find themselves with mortgage difficulties.

I agree with the Minister and others that anything we can do to put pressure on the banks to engage with borrowers and people in difficulty is the right and necessary thing to do. However, when we look at this, the onus is almost entirely on the borrower rather than the banks. Correct me if I am wrong, but under this provision, even if borrowers make an arrangement with the bank and comply with that arrangement, they lose a year's mortgage interest supplement because it is not paid until a year after entering an arrangement. Is that correct? Unless it is backdated, it is lost. The Minister should return to this and explain it, because it is certainly not clear here. Also, there are no corresponding measures in the legislation that will compel the lender to engage, but that is where we should put the pressure.

Deputy Collins put it best suggesting that would be the way to go. As soon as somebody finds himself in need of mortgage interest supplement and is granted such a supplement, the pressure should then be on the Government to force the banks to engage with the borrower, or perhaps it should give authority to groups like MABS to do that. We must think carefully

[Deputy Richard Boyd Barrett.]

about how to do this. We must in some way force the banks to engage. Currently, there is no obligation on the banks to engage or to engage in a reasonable way. Given that the borrower will not get mortgage interest supplement unless he has entered into such an arrangement and has been in such an arrangement for 12 months, the banks have the whip hand to compel borrowers to sign up to an arrangement that might not even suit them well. The conditions may be too difficult, too onerous or unsustainable for them. The banks will want as much as they can get and will want to pressurise the borrowers into agreeing to giving the bank the most it can get from them. The banks have the whip hand in that regard because the borrowers may feel under pressure to sign up to an unsustainable arrangement on the basis that only by doing so they will be entitled to mortgage interest supplement.

There are many problems in this regard and we have only had a short time to thrash them out and consider the full implications. While there is a reasonable aspiration on the part of the Minister to ensure that if we are paying money to the banks, some pressure is applied to the banks. However, it is highly questionable whether this amendment succeeds in that objective. It may have unintended and adverse consequences for borrowers in mortgage difficulties.

**Deputy Joan Burton:** I reiterate that the code of conduct on mortgage arrears has been agreed with all lenders and with everyone licensed to lend, whether in this country or in other countries in the European Union. However, the contract is between the mortgage holder or borrower and the financial institution. The relationship of the Department of Social Protection is not with the banks but with the individual in distress. These people in distress are being supported by my Department through the Money Advice and Budgeting Service to sort out their financial difficulties. This takes a lengthy period of time.

The development of the code of conduct on mortgage interest arrears, which was supported by all the parties in this House has been a very positive development and all of the lenders have signed up to it. Looking at the situation from a social point of view, the Department of Social Protection is paying more than €50 million this year to banks. Therefore, the Department is entitled to ensure that the banks engage. That is what this is about.

**Deputy Richard Boyd Barrett:** We agree with that.

**Deputy Joan Burton:** The best way to do that is to have the mortgage arrears resolution process managed by MABS. As the Deputy probably knows, most banks now have dedicated desks and sections to deal with customers in debt difficulties.

Some people seem to suggest that people should be able to walk into a social welfare office and get an arrangement, where the Department of Social Protection would simply pay over money to the banks without engagement in a resolution process. From my experience of business, I would not recommend that approach at all. I have worked in this area and I know that if someone is deeply in debt, the situation is often very complex. We must try to help people with their whole portfolio of debt so that they can stabilise the situation and get back on their feet and, most importantly, keep their family home. This is what the code of conduct on mortgage arrears does. While I am not the greatest fan of our two largest banks, in fairness to them they have worked hard at doing this and have built up dedicated staff to deal with the issues.

There will always be difficulty with regard to debt settlement arrangements, between getting a fair resolution that recognises the needs of the borrowers and their need to be kept in their homes and a recognition of the requirements of the lender. In many cases, to get that balance requires the wisdom of Solomon, particularly where people have lost their jobs. That is the reason for the work being done currently by my colleagues, the Minister for Finance and the Minister for Justice and Equality, on the creation of a new insolvency series of structures here

to replace our old-fashioned bankruptcy laws. Previously, bankruptcy almost followed a person for life. Technically, bankruptcy is a 12 or 13 year process, but it follows a person for life. Other jurisdictions have a much shorter process. We have specific constitutional provisions with regard to property rights and lenders have property rights relating to mortgages. Therefore, it is a difficult issue to address in the context of the Constitution.

I am determined that the MABS Service and the €50 million plus that my Department spends are used in a way that ensure maximum engagement by lenders. At the same time, we must remember that the relationship of the Department is not directly with the lenders but with the individuals who have lost their jobs and suffered a loss of income. These people are entitled in law to receive support from the Department and the Department assists them. We want to do this in a way to ensure the banks will engage and in my view, this is a reasonable approach.

**Deputy Richard Boyd Barrett:** Will it be backdated?

**Deputy Sean Fleming:** I have a difficulty with the approach being taken by the Minister in this regard. The lender and the borrower are involved in a transaction and the taxpayers are also involved. The Minister must protect the taxpayers' money in this scheme. However, I note that people are getting into more financial difficulties because they may be unemployed. I note from the briefing note on this amendment that the Department supports the curtailment of the mortgage interest supplement scheme. I agree this scheme helps the banks but it is designed to help the individual who is in difficulties with mortgage repayments. The Department is supporting the curtailment of this scheme by way of this specific legislative provision.

The Government has made legal provision to suspend the mortgage interest tax relief at source for people in mortgage arrears. We are dealing with an 18-month period so the two sets of figures are not co-ordinated. The Minister may argue this is a matter for the Department of Finance. As soon as a person's mortgage interest relief is suspended or the mortgage interest supplement is stopped, the tax relief will also be suspended and this has to be taken into account in the overall mix.

As regards the code of conduct on mortgage arrears, both elements of the State support are designed to help the individual and legal provisions are in place to penalise the borrower in distress. The Minister has referred to codes of conduct regarding mortgage arrears and these are voluntary, non-legal and non-binding arrangements. The only reference the Minister made to the banks was with regard to the constitutional rights of the lenders. This House could have passed legislation any time since last November to ensure the banks would implement the Keane report recommendations rather than by means of voluntary codes of conduct. I do not accept the situation where the penalties imposed on the borrower are decided by legislation, for instance, the reduction of mortgage interest supplement and the abolition of mortgage interest relief but on the other side with regard to the banks, there is a voluntary code of conduct in place. It is as if the Government would not wish to upset the banks by imposing a legally binding code of conduct.

The legal force of law is being applied to mortgage interest supplement and it should also be equally applied to the lender so there is no more of these voluntary arrangements and codes of conduct which the banks like to operate. They will threaten the Minister by saying that a legally binding code would upset their balance sheets and that it might not find favour with the international bond markets. I want to see the Minister apply the same legal rules to the banks to make them come to the table rather than allowing them have a voluntary code of conduct.

**Deputy Joan Burton:** It is regrettable that Deputy Fleming did not make those representations to the previous Government because I do not think it engaged at all. I refer to the Cooney report and various other reports and I do not recall very much happening at that time.

[Deputy Joan Burton.]

Perhaps the Deputy was not engaged in this subject at the time and he has become more engaged since he changed over to being in opposition.

A total of €50 million from the Department of Social Protection is being paid to the banks and we insist that the banks need to engage with and be part of the mortgage arrears resolution process. The voluntary code of conduct on mortgage arrears to which the Deputy refers, which has been signed by all the lending institutions, was arranged by his Government. All the banks are included. He did not open his mouth then. However, it is always difficult to find a resolution between a lender and a borrower which is fair to both. Under the Constitution one must be fair to both sides. My colleagues, the Minister for Finance and the Minister for Justice and Equality, are working very hard to change our insolvency laws because the biggest problem in our system is that in extreme situations it does not provide easy access to an insolvency arrangement. The Deputy probably shares my view that we want to ensure that people who are in mortgage difficulties are able to remain in their homes. This can only be achieved if the lender will engage with the process. The lenders are getting funding of €50 million from my Department and the price of that funding is that those lenders must engage in the mortgage arrears resolution process and they must agree to the code of conduct. In fairness to the lenders, they are doing this; it may not be to the degree we would all prefer but they have signed up. All the banks have specialised sections dealing with these issues. It is a very traumatic issue for individuals who have difficulties and I am confident that this amendment will assist in the process. It is a considerable sum of money, €50 million a year going in interest payments, interest supplements, to the banks. Some of the banks have requested the interest supplement to be paid directly to them once the resolution is agreed. This has been examined because some institutions have complained that in some cases the supplement has not been passed on to the lender by those who received it. This is a relatively small number of cases but that point has been made.

The Money Advice and Budgetary Service, MABS, is expert in this area. Deputy Fleming is a business person and he will understand that in a lending situation, both the lender and the borrower must engage with each other. We all wish to ensure that people keep possession of their family home and keep the roof over their head. I am confident this amendment will assist the process.

**Deputy Catherine Murphy:** On a point of clarification, what constitutes engagement in this regard? Can it be back dated? What amount will be paid in interest in the case of a restructured mortgage? The Minister referred to the banks asking that the supplement be paid directly to them. When people engage with the banks, the practice is that the banks will examine their personal and daily expenditure in detail and will make suggestions for changes. The banks will consider whether a person has cable television, for instance.

In many cases, people may have a very finite amount of money and even a small shock to an income can account for the reason people may not have paid the supplement to the bank in question. The key points I raise are when the arrangement kicks in and whether the level of interest will be reduced because of the restructuring. The Minister has a point of view but my point of view is that of the person with a mortgage difficulty who has become unemployed and who contacts me. I am looking at it from the point of view of the borrower. There are three different viewpoints in this and it is a question of coming to a satisfactory arrangement for all three. The least satisfactory arrangement, however, seems to concern people in mortgage distress.

**Deputy Richard Boyd Barrett:** The more one listens to this debate, the more one realises that it would not be a three-way problem if we just nationalised the banks we have recapitalised.

We could then square the circle properly and force the banks, as they should be forced, to engage reasonably and fairly with people who are in mortgage difficulties primarily because of the banks' activities. However, the previous Government did not do so and neither will the current one.

The politicking between Fianna Fáil and the Fine Gael-Labour Government is beside the point and trivialises the matter, if the Minister does not mind me saying so. Regardless of what the last Government did, and I might agree with the Minister on those points, the key question applies to people in mortgage difficulties now and who might require mortgage interest supplement. They should not find themselves in more difficulties as a result of this legislation being passed.

We agree that the banks should be put under pressure to engage and the sum of €50 million is a significant amount, but does the Minister envisage a saving as a result of this? Is that budgeted into this matter? If so, it might colour whether we understand this to be a cut masquerading as something else. Is the Minister envisaging a saving? She is shaking her head, so maybe she could confirm in her reply that she does not anticipate any saving as a result of this measure.

Can she clarify one point concerning someone who loses their job who would otherwise have applied for and received the mortgage interest supplement, but now cannot access it and must engage with the bank to come to some arrangement? Is it correct that such persons will not receive mortgage interest supplements unless they have entered into an engagement and have complied with it for 12 months? Is that not what this amendment says?

**Deputy Joan Burton:** Yes.

**Deputy Richard Boyd Barrett:** Right. Therefore, in order to receive the supplement one must engage with the bank and be in an arrangement for 12 months before accessing the mortgage interest supplement. Will the interest that has built up in that 12-month period be paid and backdated? The borrower will lose out unless there is some obligation on the bank, as a result of this legislative change, to write off interest arrears that might have built up in the 12 months when that person was not entitled to mortgage interest supplement. Can the Minister clarify that issue?

I do not see why the Minister cannot accept that point. In order to be fair to the borrower, a loud and clear message should go out from the Minister to everybody who might lose their job and find themselves in mortgage difficulties, to engage with their bank. If, however, the bank will not engage reasonably and fairly, the borrowers should not worry because they have done their best by trying to engage in the process. They should be told not to worry about mortgage interest arrears arising because the Government will put pressure on the banks. If people are not reassured they will continue to worry if banks are not engaging fairly, reasonably or at all. The best way to do this is by putting pressure on the banks.

The Minister says her Department relates to the borrower, not the bank, but she also says the bank is the target of this legislation. As Deputy Catherine Murphy said, there is no way to see this other than that the borrower is being used as a pawn between the Department and the banks. Is that fair? Is it the right approach to use the borrower as a pawn if, as the Minister says, the target is the banks? Why not go directly to the banks instead of using the distressed borrower as a pawn?

**Deputy Mattie McGrath:** I am concerned about this pussyfooting around the banks. During the last Government's term, the Minister and I were members of the committee dealing with social protection. She was then a strong advocate for people in mortgage arrears and in receipt

[Deputy Mattie McGrath.]

of social welfare generally. She was also very much opposed to the bank guarantee, so she is in a better position than most to know that the banks are not playing fair with anybody in this country. They lied to the last Government and have lied to the current Government. It is not fair to expect this from people in mortgage arrears because they are under enough pressure to keep themselves sane, and I do not say that lightly. They are trying to keep themselves together as a family unit with some degree of dignity. It is wrong to expect them to be used as pawns.

A code of conduct for the banks is like the rain outside today — it will be gone in an hour or two, and that is all the banks care about. They have no respect for the law, not to mind codes of conduct. This legislation is really pussyfooting around the banks and the Minister knows that better than anybody. She is in a position to know that the banks do not have respect for borrowers, the Government or anybody else. All they want to do is get back in business and cut their losses.

The Government brought in legislation to stop banks menacing people more than once a week, but there are ways around it because banks operate clandestinely. The public do not deal with the same person more than once since managers are moved on, so customers are on their own. The Bill before us should be as protective as possible of those in mortgage arrears who are most needy. If big businesses owe banks a lot of money, the banks will deal with them because they have no choice. While the sums involved are big to individual mortgage holders, they are only pawns in a game, as Deputy Boyd Barrett has said. It is not fair.

Codes of conduct are absolutely useless in dealing with the banking system. The public and the business sector are patently aware that codes of conduct, directions or ministerial speeches mean nothing, unless there is legislation to tie this down and oblige banks to act. The public cannot understand why no banker has yet been arraigned. We have had soundings from various Labour Ministers who are disappointed with the delays but what is going on is unthinkable. Ordinary mortgage holders and their families are suffering. In addition, they are bewildered by what the Minister said in opposition about the last Government and what is happening now. They feel they have no hope.

**Deputy Joan Burton:** I thank Deputies for their contributions. I wish to reiterate that this year the Department will spend more than €50 million, which in one sense will be for distressed mortgage holders, in mortgage interest. In fact, however, it is €50 million that goes to the banks. We could all have a debate about the wisdom of that, but basically an individual comes to the Department or MABS and gets into a mortgage arrears resolution process. To answer Deputy Mattie McGrath's point, we want lenders to go into the mortgage arrears resolution process because it means there will be a stop on the interest while one reaches an agreement with the banks about how to deal with the level of debt.

I have personally met at length with the Vincentian Partnership which has done quite a lot of work on fair living arrangements. I hope the banks would not suggest that people should live on less than the social welfare rate. As regards the case the Deputy is referring to, the issue is about people who have more means and how much they can afford to contribute. The rule on debtors was stressed by FLAC recently and I agree. If an arrangement is made that is too onerous on the debtor, and Deputy McGrath referred in particular to people in business, one is looking for blood from a stone as the debtor cannot pay that much. Most such agreements fail within a period of time because they are unrealistic. The mortgage arrears resolution process and the process about which we heard at the FLAC conference relating to other countries is about arriving at a reasonable amount. The Vincentian Partnership has done a great deal of work on suggesting guidelines on this which I believe it will put on the Internet. Deputy McGrath might be interested to know this work is based on what a family in a rural area might

require because of transport requirements versus what a family in an urban area might require where there might be more access to public transport.

The object is for the Department to help people in mortgage arrears but also to force lenders to engage in the mortgage arrears process. Otherwise we will just be handing out money without any requirement for engagement and this does not make sense. I understand that Deputy Boyd Barrett is very sympathetic to giving out the maximum amount of money but money is very tight in this country. The €50 million we will distribute will come from people at work and we want to ensure we get value from the lenders in the mortgage arrears process. We do not have free amounts of €50 million to distribute nor do we have the money to distribute larger and larger amounts to banks. We need to give it in a way that helps people and keeps them in their family home.

Progress reported; Committee to sit again.

### Topical Issue Matters

**Acting Chairman (Deputy Peter Mathews):** 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 Michael Colreavy — the funding of Cregg House, Sligo; (2) Deputy Paul J. Connaughton — the problems being caused by deer to farm and woodland in counties Galway and Wicklow; (3) Deputy Kevin Humphreys — the need to establish an advisory task force to examine the problems discovered in multi-unit developments; (4) Deputy Brendan Griffin — the proposed increases in harbour fees; (5) Deputies Paschal Donohoe and Catherine Murphy — the need to speed up the processing of applications in respect of carer's allowance and carer's benefit; (6) Deputy Jim Daly — the difficulty in accessing Saorview in large areas of west Cork; (7) Deputy Michael P. Kitt — the development of the Gort to Tuam motorway in County Galway; (8) Deputy Éamon Ó Cuív — the provision of a new school building for Clifden Community School, County Galway; (9) Deputy Alex White — the need to introduce legislation in respect of periodic payment orders; (10) Deputy Michael Healy-Rae — the proposed increases in harbour fees at Castletownbere, Dunmore East, Howth, Killybegs, Rossaveal and Dingle; (11) Deputy Michael McCarthy — the need to introduce autism-specific legislation or a national autism strategy; (12) Deputy Brian Stanley — the review of community employment schemes and of labour activation mechanisms; (13) Deputy Mattie McGrath — the changes to the community alert seniors alert scheme; (14) Deputy Thomas P. Broughan — the need to put adequate services in place in respect of the treatment of eating disorders; (15) Deputy Joan Collins — the transfer of Vodafone jobs away from Dublin and Dundalk, County Louth; (16) Deputies Jonathan O'Brien and Dessie Ellis — deaths in the workplace, the need for the introduction of corporate manslaughter legislation and the recognition of workers' memorial day; (17) Deputy John McGuinness — the way that the Minister will protect the status of the employee who was named in recent news reports for trying to highlight difficulties in the Irish property market in 2007 and 2008; (18) Deputy Willie O'Dea — job losses in the banking sector; (19) Deputy Aodhán Ó Ríordáin — the long-term investment plan to prevent flooding in the Dublin area; (20) Deputy Seamus Healy — the provision of a new school in respect of Gael Scoil Cluain Meala, County Tipperary; (21) Deputy Timmy Dooley — the proposed increase in clamping charges; (22) Deputy Niall Collins — the need for the banks to participate in the resolution process for the residents of Priory Hall, Dublin; (23) Deputy Seamus Kirk — the proposed strike action by Vodafone workers in Dundalk, County Louth and in Dublin; (24) Deputy Charlie McConalogue — the provision of adequate levels of staffing at the offices of the Department of Agriculture, Food and the Marine in Raphoe, County Donegal; (25) Deputy Joe McHugh — the decision by RTE to close its bureau in London; (26) Deputy Brendan Smith — the review of allowances for public servants and the potential impact

[Deputy Peter Mathews.]

on the Croke Park agreement; (27) Deputy Mick Wallace — the way in which appointments are made to An Bord Pleanála in view of the report of the Institute of Directors in Ireland on appointments to State boards; and (28) Deputy Derek Keating — whether the deaths of seven patients in a private nursing home in County Donegal could have been prevented.

The matters raised by Deputies Pascal Donohoe and Catherine Murphy, Jim Daly, Aodhán Ó Ríordáin and Jonathan O'Brien and Dessie Ellis have been selected for discussion.

*Sitting suspended at 1.35 p.m. and resumed at 2.30 p.m.*

### Message from Seanad

**An Leas-Cheann Comhairle:** Seanad Éireann has passed the Thirtieth Amendment of the Constitution (Treaty on Stability, Coordination and Governance in the Economic and Monetary Union) Bill 2012, without amendment.

### Ceisteanna — Questions

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#### Priority Questions

**An Leas-Cheann Comhairle:** With the agreement of the House, we will commence with Question No. 3 as Deputy Fleming is not yet here.

#### Social Welfare Benefits

3. **Deputy John Halligan** asked the Minister for Social Protection in relation to applications for disability allowance if she will clarify when an application has been assessed by the appointed medical assessor and has been deemed not to qualify for the allowance, the way the medical evidence provided by the applicant's medical practitioner in support of their application can be dismissed without a face to face assessment with an independent medical practitioner appointed by her Department in view of circumstances (details supplied); and if she will make a statement on the matter. [20881/12]

**Minister for Social Protection (Deputy Joan Burton):** Disability allowance is a means tested weekly payment made to people aged between 16 and 66 years who have an injury, disease, physical or mental disability that has continued or may be expected to continue for at least one year and as a result of which the person is substantially restricted in undertaking work that would otherwise be suitable for a person of similar age, experience and qualifications.

Applications for disability allowance are assessed "at desk" on a case by case basis by the Department's medical assessors, all of whom are fully qualified medical practitioners who have training-experience in human disability evaluation. The medical assessor's opinion is based on the medical information furnished as part of the application process. It is important to note that when conducting an assessment, the medical assessor does not dispute the diagnosis of the person's doctor but, rather, taking the viewpoint of an occupational physician, considers the adverse effects that the person's condition has on the person's daily activities and capacity for work. Not alone does the medical assessor have regard to the person's medical condition, but he-she also considers the person's medical history, treatment regime, medication and personal ability-disability profile. Medical assessors also employ evidence based protocols to assist them with their desk assessments. The desk assessment process is much less time consuming than an "in person" process and as medical assessors do not diagnose, treat or give advice, the desk assessment process is considered to be a more efficient use of resources.

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

In cases where applicants are notified that they have not satisfied the medical conditions of the scheme, they are advised to submit any further medical evidence relevant to the case which is then reviewed by a medical assessor. In addition, applicants are advised regarding the option of appealing their case to the independent Social Welfare Appeals Office. In cases of appeal the medical evidence is reviewed by a different medical assessor.

In certain circumstances a medical assessor may decide to call an applicant for an in-person assessment. However, in most cases the medical evidence furnished in support of the application is such that an in-person assessment is not required.

**Deputy John Halligan:** As a long-standing politician, the Minister, and many Members, will be aware that many people who present with illness to a medical practitioner are often diagnosed with a serious illness and subsequently deemed incapable of working. This diagnosis is then sent with their application form for disability or invalidity allowance. In many cases, these diagnoses are rejected.

**An Leas-Cheann Comhairle:** Does the Deputy have a question for the Minister?

**Deputy John Halligan:** I would like to read a small piece of correspondence into the record, following which I will have a question for the Minister. The following is relevant to many cases with which Members deal:

X has a medical diagnosis of ischio-vertebral dysplasia resulting in significant deterioration and orthopaedic problems, has a rod inserted in her spine to attempt to support her trunk due to deterioration of bones in the spine. The use of powered mobility for medium to long distances and her ability to propel herself or mobilise on foot for long periods cannot be done. Uses a wheelchair.

I received the following reply from the Department of Social Protection:

I wish to refer to your correspondence regarding case X. The case was assessed by a medical assessor for the social welfare services who was of the opinion that X was not medically suitable for disability allowance.

This was in spite of a letter from the Central Remedial Clinic, a doctor and a specialist. Many doctors and specialists, having assessed and deemed a person physically or mentally unable to work, believe they are being undermined by unseen doctors from the social services, whom the Minister says are qualified. Why is it necessary for people who have doctor and specialist certification to support that they are incapable of working re-assessed? These people need disability and invalidity allowances. Would we not be better off abolishing this assessment and allowing the qualified doctors and specialists — in this case it is the Central Remedial Clinic — to make that decision, thus saving a substantial amount of money?

**Deputy Joan Burton:** I thank the Deputy for his question. The number of people in receipt of the disability allowance has continued to increase significantly. In 2005, some 79,000 people were in receipt of disability allowance as compared with 102,000 in 2011, an increase of 1.7%. The number of awards has continued to rise. Medical evidence and diagnosis presented by a person's medical advisers and experts, be it a GP, consultant or specialist, is reviewed by the departmental medical assessors, who are qualified medical doctors. The test is in relation to the person's capacity to participate in work or some work.

I do not wish to comment on the particular case instanced by Deputy Halligan.

**Deputy John Halligan:** I understand that.

**Deputy Joan Burton:** People often do not understand that the diagnosis of the person's medical advisers, doctors and experts is examined by medical assessors who are trained in occupational medicine. This is about whether a person can participate in some work. International information in this area indicates that enabling people to do some work is extremely good for their health—

**Deputy John Halligan:** Without meeting the patient.

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

**Deputy Joan Burton:** An alternative approach would be to set up an independent agency. The Deputy should remember that the claims on the Department in this respect are very large. The number of people has reached 102,000. The adviser who is the expert is the person's own doctor. The Department of Social Protection is not a medical service. We are asking medical experts to examine what the person's own doctor or medical adviser has said. In many cases, there is probably some work to be done in that regard. It is a question of whether the person can do some work. It is not possible for everyone to be taken in for a detailed medical assessment by the Department.

Quite frankly, the Department would not have the resources to examine more than 100,000 people. Approximately 25,000 apply for this benefit each year. We simply would not have the resources. We would also be duplicating the work of the person's own medical advisers. If the Deputy is suggesting there should be a separate medical expert system, perhaps that can be examined. The Department's resources would not stretch to examining everybody. One would be talking about over 100,000 people, or approximately 25,000 new people each year. We have to rely on the person's own medical experts. It is then a question of the presentation of the evidence and the decisions that are reached. The administrative assistants who administer the payments base their decisions on what the medical experts and assessors have to say.

### **Community Employment Schemes**

1. **Deputy Sean Fleming** asked the Minister for Social Protection if she will outline the findings of the reviews she commissioned in relation to community employment schemes; the schemes that have been earmarked for closure and cuts in materials and training grants; and if she will make a statement on the matter. [20721/12]

2. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection the conclusions of her review of community employment schemes; if she will restore funding to the 2011 level; her plans for the future of CE; and if she will make a statement on the matter. [20723/12]

**Deputy Joan Burton:** I propose to take Questions Nos. 1 and 2 together.

The Department's estimated overall expenditure on employment support schemes in 2012 is €983 million, which represents an increase of almost €121 million on the 2011 figure. Some €315 million has been provided for community employment this year in respect of some 23,300 participants. In addition, approximately 1,400 supervisors are paid by the Department. The Department is engaged in two reviews that impact on community employment. One of them is a review of labour market activation schemes generally and the other is a financial review of community employment schemes that aims to secure savings in the expenditure on materials and training grants in 2012, compared to 2011. After changes to the training and materials grant for community employment schemes were announced in budget 2012, I made a commitment that no scheme would close pending the completion of the financial review. This financial

review is now nearing completion. To date, no scheme has been closed as a result of reductions to the materials and training grants. The review has proved to be a valuable exercise for the schemes and for the Department. The review is now close to completion. Given the volume and breadth of the data being returned by community employment sponsors, no final allocations of materials and training grants will be determined pending its completion. Community employment sponsors are working with the Department's community development officers to ensure adequate funding is available for the continuation of their projects.

Deputies are aware that the current economic circumstances have forced the Department to find significant savings in its 2012 budget. In the case of community employment, the reduction in the grant for materials and training represents a reduction of 7.5% of the overall expenditure on community employment in 2011. The allowance grants for supervisors are unchanged, as are the working hours for staff employed under community employment. There has been no decrease in the number of community employment places allocated in 2012. It is not possible to restore funding to 2011 levels. The baseline amount of the materials and training grant remains €500 per participant, as announced in the budget. However, the Department has discretion to make up to €1,000 per participant available to schemes in respect of the training and materials grant, subject to individual schemes providing a clear and transparent demonstration of the need for this level of funding. The onus is on sponsors to make the case for the appropriate grant levels for their individual schemes. The level of grant sought will have to be justified by the scheme sponsor and will be subject to verification and agreement by the Department on a case by case basis. Discussions with sponsors on these matters are being conducted in a constructive manner. Support is being provided to help the schemes remain viable. The existing commitment in relation to the financial support of schemes will continue to apply pending the full completion of the review process. We have also been working on reducing the fixed costs that have to be met in operating the community employment programme. We have already obtained significant savings in the cost of insurance to sponsors. We are confident of obtaining similar reductions in the areas of accountancy fees and bank charges.

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

A policy review of activation measures is under way. This review will be completed in the next few months. There is a role for schemes that are primarily directed towards the provision of crucial social services to disadvantaged communities, such as child care, elderly care and drug treatment programmes. The intrinsic value of these schemes needs to be more broadly recognised in terms of the economic contribution made by the provision of these services, which otherwise would fall back on the State to provide at a much higher cost. When both reviews are completed, it is my intention to have a stakeholders' seminar on community employment, most probably to take place in June or July.

**Deputy Sean Fleming:** I am disappointed with the Minister's response, primarily because of the lack of information in it. Essentially, she summarised where we have been over the last couple of months on this issue. I tabled this question because I wanted to receive some information. I understood we would receive this report at the end of March. The Minister has said that the assessment is nearing completion. I suggest that the volume of work involved in the assessment means it will not be completed in the Department of Social Protection for a couple of months. We could be well into the summer by then. The Minister has told the schemes they can make the case for the funding they are receiving at the moment. I am sure most of them are doing that. If she wants to achieve the budget cut that she announced on budget day, will she have to implement that entire cut in the second half of the year? That would be a severe situation for those involved. Schemes are rolling forward all the time. What will happen to schemes that are commencing at the moment? I refer to those that commenced in the last

[Deputy Sean Fleming.]

month or two or will commence in the next month or two. I would like some clarification on where they are, in relation to their grants.

The Minister mentioned the position of sponsors. She asked individual sponsors to do a great deal of work when she sought financial information from them. Some of them are having difficulty providing that information. The Minister is putting a tremendous workload on small organisations with minuscule budgets, such as local tidy towns committees. The new procedures she mentioned will also impose extra costs on them. Can the Minister guarantee that the number of people who are currently working on community employment schemes and the number of supervisors will be maintained?

**Deputy Joan Burton:** As the Deputy is probably aware, the schemes transferred from the old FÁS to my Department on 1 January last. I am determined that the important social contribution of community employment schemes, in delivering social services in communities across the country, will be recognised. I am keen to ensure those who participate in the scheme enjoy good experiences which help them to get back to work or education and training. That is really important. The transfer of the former FÁS staff who were working on these schemes to the Department of Social Protection, where they have become departmental community services officers and employment officers, is probably one of the biggest reforms ever to be undertaken in the Irish public service. Under the Croke Park agreement, some 1,700 people, including HSE and FÁS officials, have transferred. As I said in my reply, more than 23,000 people are participating in schemes alongside approximately 1,400 supervisors.

A great deal of valuable work is being completed by the officials who used to work in FÁS but are now working in the Department of Social Protection, in conjunction with the sponsors and the community employment supervisors. Everybody is aware that this country is enduring a period of acute unemployment. We have to ensure not only that we continue the valuable social services and other services that are supplied by these schemes, but also that the people on the schemes enjoy quality experiences. Those who have become unemployed more recently should also get an opportunity to take part in community employment schemes. Overall expenditure on labour supports like community employment, including JobBridge and Tús, both of which are being availed of by some community organisations, has increased this year. Dialogue with the scheme sponsors and supervisors is really important in ensuring that we build better schemes.

**Deputy Aengus Ó Snodaigh:** In December, the Government dropped a bombshell in regard to CE scheme participants and sponsor groups. The Minister then ran for cover using the review that was announced. There was to be a report in March but we now hear it could be a number of weeks or months before it is produced. Perhaps it will never be produced. Does the Minister accept that, for many CE schemes to survive at all, funding must be restored to 2011 levels? The funding for 2011 had already been cut in many ways. Can the Minister confirm that a second and more secretive review is under way on the part of the Department on foot of promises made to the troika and is being conducted without any consultation with the unions, CE participants or projects? It concerns the very future of community employment.

Is the Minister aware that, irrespective of reviews, the Government has already had a devastating effect on community employment? Across Dublin, in respect of child care courses in particular, community employment scheme supervisors are highlighting difficulties associated with filling vacancies. This is as a direct consequence of the Government's cuts to lone parent payments. Participation on community employment schemes is particularly unaffordable. Is the Minister aware that many projects are against the wall as a consequence of the Minister's budget cuts? Progression-focused training is barely happening now, with the consequence that

participants will in many cases go back on the dole at the end of their term with few, if any, qualifications, or with half qualifications.

**Deputy Joan Burton:** The second review to which the Deputy referred is a policy review of activation measures that are under way. This review will be completed in the next few months. It takes into account all the headings, including community employment, under the labour support measures valued at just under €1 billion. The expenditure of €1 billion by the Department of Social Protection on labour support and employment measures, returning people to education, Tús, JobBridge, community employment schemes and a variety of other schemes is very significant and important.

The Deputy referred to the IMF. When the previous Government brought in the IMF and did its deal with it, it presented all the review papers across every department that were in production at the time. Many good people were working in FÁS but the actions of some of its staff seriously damaged the brand. The former Government decided to take FÁS out of the jobs and enterprise category and put it into the education category with a view to responsibility being transferred to the Department of Social Protection. That is what has happened.

Our activity is not just because of the troika. We are spending €1 billion and need to ensure the continuation of service delivery, good experience for the people on the schemes and value for money. There is no difficulty in seeking value for money in these times.

The Deputy referred to double payments for certain categories of people. For instance, somebody on a community employment scheme could have been getting a full CE scheme payment and a full individual social welfare payment. In some cases, this amounted to approximately €450 per week, on which one had only to pay PRSI, not taxation, for 19.5 hours of work. This is quite expensive for the Department. There are many working full-time, even in the public service, who do not get €450 per week after paying tax and PRSI.

We need an honest discussion about the costs involved. We must try to meet three objectives: service delivery, good experience for the participant, and value for money.

### Job Creation

4. **Deputy Sean Fleming** asked the Minister for Social Protection the progress made in developing the Pathways to Work plan; if private contractors will be used; if any personnel training, personnel adjustments and redeployments are planned; and if she will make a statement on the matter. [20722/12]

**Deputy Joan Burton:** The Pathways to Work initiative has been developed to deliver a new approach to the provision of services to unemployed people. The key objective is to deliver a service that supports people who are unemployed to find a pathway back to employment and thereby reduce both the average duration of unemployment and the number of people who are long-term unemployed. A detailed project plan for the establishment of the new service was approved by the Government and published in June of last year, and I am pleased to say the Department has made significant progress in implementing this plan. The next significant milestone is the pilot implementation of a new one-stop-shop or integrated service in four offices, and I expect these to be implemented, on schedule, in May or June this year. They are already being rolled out on a pilot basis.

The new service will be staffed by people currently working within the Department, including the approximately 1,700 staff who recently transferred into the Department from FÁS and the community welfare service and who bring with them significant experience in the one-to-one case management of clients. Approximately 400 of the staff who transferred are involved in the activation of unemployed people. We have taken over the local employment services, which

3 o'clock

[Deputy Joan Burton.]

have particular expertise in this area. Most of the transferred staff have received professional training in employment guidance. Many of the 1,000 staff of the community welfare service have experience of working in a case-management capacity. I acknowledge that, given the level of unemployment, additional staff will need to be deployed to activation or case-management activities and that appropriate training will be required for staff with such duties. In this regard, the Department has its own in-house staff development unit. The unit will take the lead in developing and organising the relevant training. Initially, training will focus on the competencies deemed necessary for the case-management role.

It is unlikely, however, that redeployment within the Department or even from the wider public service will provide sufficient staff to fully resource the new service. Accordingly, in the context of the Croke Park agreement, we will probably have to stop sub-contracting case management and activation services.

**Deputy Sean Fleming:** The Minister just about squeezed in the last little bit when she mentioned private contractors doing some of the work. Could she give us a little more detail on what is intended by this? Given the importance of addressing unemployment, is there not a case to be made for partly lifting the recruitment embargo in this area?

The Minister stated approximately 9,000 people are to leave the public service this year. Approximately 4,000 are to be re-employed. Some are teachers and some are in the health area. There is definitely a case for helping people to return to work. This could comprise one of the most productive areas.

The Minister stated four offices are to be up and running in May and June. Which offices are these? Will the Minister give us information on the professional training that has already been carried out by some of her staff? Has any of this training been done externally to date? What contractors were used and what was the procurement method? Are private contractors being asked by the Minister to do some, quite a lot or all of this work?

**Deputy Joan Burton:** Work on the possible involvement of private sector providers, which is very complex, especially in regard to the payment basis and avoiding dead-weight effects, is ongoing within my Department. This work will be done within the framework of the Croke Park agreement. We are examining this area in depth. One should bear in mind that there are organisations, including Rehab, that provide employment services, and I am sure the Deputy is familiar with them. There are also local employment services which provide dedicated employment services through local companies.

The key is to develop models that offer good services to people who are trying to return to education, training and, ultimately, employment.

That is where the focus will be when we have completed the work on this. One must remember that we are just setting up, have just taken in those involved in FÁS and the community welfare and are setting up the pilots for the roll out. We have already been doing it on a pilot basis. We will set those up in May and June so I will come back to the Deputy when we have more advanced work done on this.

**Deputy Sean Fleming:** In regard to the private trainers the Minister will involve in this process, I understand from some of the people in the industry that there will probably be a condition in those contracts that a certain percentage of people being trained end up in further education or in employment or there will be a penalty in regard to the payment to them if they do not achieve that. Will there be a parallel mechanism for in-house staff doing the same work

as external contractors? If that benchmark is being used for external contractors, the public service would want to see the same standard being applied to it.

**Deputy Joan Burton:** I appreciate what the Deputy has said but he should bear in mind what I said. The people who have come from FÁS and the community welfare service have, in many cases, already got training experience and experience of one-to-one dealings with individuals, either in the community welfare office or the FÁS employment services. The Department also has in-house training. We must provide an integrated service — this is where the change is — so when one goes in to sign on for a benefit or an allowance, one is also given help and assistance.

The issue in regard to the private sector would have to be worked out in detail. We have seen different models in different countries. As I said, we have a number of private providers in Ireland and there is often co-operation at an informal level.

One of my concerns is that the old FÁS did not have a sufficient level of engagement with employers. If there were a couple of vacancies in, say, Tullamore or Roscommon, it is really important that the local employer goes to the employment office to say he or she requires two or three people. We must ensure people who are on the unemployment register have a reasonable opportunity to go forward for those jobs.

We must rebuild the relationship, in particular at a local level and a regional level with employers on the ground so that vacancies are notified. That is one area which fell back with the damage done to FÁS. Many employers simply do not think of going to FÁS. We must build that relationship back up from the ground and I am really anxious to do that.

### **Child Care Services**

5. **Deputy Joan Collins** asked the Minister for Social Protection if she will outline the conditions that would constitute enough childcare support and after school care in order that one parent payments would be cut at the age of seven in the future. [20951/12]

**Deputy Joan Burton:** In the past, income support for people of working age, including lone parents, has been passive in nature with little systematic engagement by the State with the customer. This is now changing. Long-term welfare dependency and passive income support to people of working age are not in the best interests of the recipient, of their children or of society.

The best route out of poverty and social exclusion is through paid employment. Work, and especially full-time work, may not be an option for parents of young children. However, supporting parents to participate in the labour market, once their children have reached an appropriate age, will improve both their own economic situation and the social well-being of themselves and of their families.

The one-parent family payment has played an important role in providing income support to lone parents. Total expenditure this year is estimated at €1.06 billion. Changes have been made to the payment since its introduction in 1991, reflecting the changes taking place in society, the labour market and the expectations and realities of parents' lives, in particular of mothers, in terms of work and care. These reforms continue that change. They recognise parental choice with regard to the care of young children while, at the same time, having an expectation that parents will not remain outside of the workforce indefinitely.

These reforms will require a whole of Government response with regard to the provision of the appropriate education, training, employment and child care supports including the provision of appropriate after school care. The changes introduced in the Social Welfare and Pensions Bill 2012 are being brought in over time. Between now and 2014, the consequences of these

[Deputy Joan Burton.]

changes will be examined on a cross-departmental basis and in consultation with the groups that represent lone parents.

I am happy to tell the Deputy that discussions have already been taking place between the Department and the Department of Children and Youth Affairs and the Department of Education and Skills with regard to the development of a policy framework around child care, including after school care and, in the short-term, the assessment of the extent of the current provision of such care, the costs of such care to parents and the demand for such services from lone parents.

**Deputy Joan Collins:** Anybody sitting in the Visitors Gallery would not know the question I asked was if the Minister for Social Protection would outline the conditions that would constitute enough child care support and after school care so that one parent payments would be cut at the age of seven in the future. This question has also been asked by groups such as Barnardos. Will the Minister provide evidence of any country which has made the kind of transition in child care services about which we are talking in just 18 months and against the backdrop of cutbacks and the need to generate Exchequer savings?

There was a contradiction in what the Minister said. Even in the limited outline she gave me, it was not clear how she would see this situation changing. She made it clear that no extra funding would be made available for investment in restructuring child care services in the short term or medium term. Does the Minister really believe the radical child care services needed will be in place within 18 months?

The Minister alluded to the Scandinavian model of child care. Does she know Scandinavian child care is a very specific child care provision? Preschool is available to children from aged one to the time they begin primary school. Children in Sweden begin preschool at different ages and attend for different amounts of time per week. They are open all year round and on certain holidays and the daily schedule is based on the needs of parents with children. Is that the type of preschool model the Minister wants to bring in which is affordable to people because preschool is not affordable to people in this country?

**Deputy Joan Burton:** Our model has developed over a long period of time. Until recently, lone parent status, specifically in regard to parenting, did not end until children reached the age of 18 or 22. The countries the Deputy referenced have good systems.

**Deputy Joan Collins:** The Minister referenced them.

**Deputy Joan Burton:** The Deputy referenced them as well and indicated that she thinks some elements of their systems are progressive. The situation in those countries is that a parent parenting on their own as well as being assisted with income support, as in our case, is also assisted to get back into education and training and, ultimately, into work because all the indications are that the best route to tackling poverty is for a child to be in a household where one or both parents are at work. That is the net point.

As a country, we have been spending more than €1 billion per year on lone parent support, yet the outcomes in terms of poverty for the parent and the child are not the kind of outcomes I would like to see, in particular in the context of the money we are spending. Over the past decade, this country has invested more than €1 billion in developing child care infrastructure under the national child care investment programme and prior to that, the European Union co-funded equal opportunities and child care programmes. We have the early childhood care and education programme, which is open to child between three years and three months. Some 61,000 places are being provided under that programme — 17,000 by community providers and

44,000 by private providers. There is also the community child care subvention, with which I am sure the Deputy is familiar.

Before the changes are brought in in a number of years time, we must work to expand the provision and give lone parents and their children a better outcome and better opportunities so they are not in poverty. The Deputy and others have stated repeatedly that, despite the money we spend, many lone parents and their children are poorer than we would like.

**Deputy Joan Collins:** The Minister has still not answered the question, which I asked so that we might debate the matter during our discussion on the amendments to the Social Welfare and Pensions Bill 2012. As the Minister knows, there are not enough affordable child care facilities. Lone parents want to work, but seven years of age is too young to keep their children at home and there are not enough child care facilities available to help them return to the workplace. Lone parents comprise a small group and I cannot understand why the Minister would claim that child care provision has not developed in recent years, given the fact that the birth rate has increased in the past two to three years. Surely the Government should be reacting to this increase and providing more affordable facilities. Once again, the Minister has not outlined the situation. People were expecting more from her regarding her views on introducing Scandinavian-type child care to Ireland.

**Deputy Joan Burton:** My Department and the Department of Children and Youth Affairs are examining current levels of provision. For instance, the national child care investment programme, NCIP, supports approximately 15,800 after-school places and there are more than 37,000 childminding places. There is a total of 75,000 places in all, given the variety of ways in which after-school care, for example, can be provided. The Early Start and new preschool programmes have been valuable for parents.

I have listened to debates on child care for at least 20 years. As a country, we must aspire to good models that provide preschool and after-school care in particular. Some models are in place and the Government has created a full Department of children, one responsibility of which is to address this issue, given its importance to parents. Tomorrow morning, I will launch a report on child poverty indicators via the ESRI. This issue is one of the strongest indicators. If someone is parenting on his or her own and does not have an opportunity early enough to return to education or training and, from there, move on to work, that person's chances of being fully financially independent are much reduced.

**Deputy Joan Collins:** Family incomes are being cut.

### Other Questions

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#### Social Welfare Fraud

6. **Deputy Micheál Martin** asked the Minister for Social Protection her plans for control savings this year; and if she will make a statement on the matter. [20561/12]

**Deputy Joan Burton:** The Department's control savings target for 2012 is €645 million with an associated target of reviewing 985,000 individual welfare claims. Control savings are a valuable performance indicator for the Department of year-on-year control activities and this year's targets will be kept under review during the coming months. It is important to point out that control savings are not actual moneys recovered by the Department, but an estimate of the value of the various control activities across the Department's schemes. They represent an estimate of the value of prevented future social welfare expenditure on claims that would have

[Deputy Joan Burton.]

been incurred if this control work had not been conducted. They do not include any case where the customer voluntarily told the Department of a change in means or circumstances, leading to an adjustment to his or her rate of payment.

Actual moneys recovered arise where the Department has raised an overpayment in an individual case. In 2010, a total of 51,950 overpayments were assessed on scheme cases, amounting to €83.4 million. This represented 0.41% of total departmental expenditure. Overpayments arising from activity suspected of being fraudulent amounted to €25.9 million, representing less than 0.1% of total expenditure. The overpayments figures for 2011 will not be available until they are audited by the Comptroller and Auditor General.

This morning, Deputy Sean Fleming and I discussed various additional targeted fraud initiatives, including the initiative that I launched for the 2011-13 period. It will target specific high risk areas through the work of the special investigations unit.

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

The Deputy may be familiar with the Department's 2011-13 fraud initiative, which sets out a range of actions to combat fraud and abuse of the social welfare system and to ensure public confidence and trust in the system. These actions will be reviewed periodically and updated, as required, given emerging trends. The consequences for social welfare fraud can be severe. Prosecutions may be taken against persons who defraud the social welfare system and employers who fail to carry out their statutory obligations. A person found guilty of abusing the social welfare system may be fined or imprisoned.

I am conscious of the need to protect public money and I am determined to ensure that abuse of the system is prevented or, where detected, dealt with effectively. With this in mind, I propose to give social welfare inspectors increased powers via the Social Welfare and Pensions Bill 2012, which is before the Oireachtas. The proposed new powers will enable inspectors to detect and combat social welfare fraud at ports and airports, make inquiries of landlords and require identity checks for social welfare claims.

**Deputy Sean Fleming:** I thank the Minister for her information and I am pleased by her confirmation that what is often referred to as a control saving as a result of fraud is not actually cash saved, but is instead a notional saving in a future year. Will the Minister identify some of the high risk areas in question? We discussed some of them this morning, including the 1,400 people at the ports and so on. Through publicity, any person who is chancing his or her arm in a particular area might know that those areas will be closely monitored.

I submitted a parliamentary question, but the Minister did not have the information with her. She might have it now. If a one-parent family is struck off because the parent is cohabiting, that person could immediately move on to jobseeker's allowance or become an adult dependant under someone else's claim. The Department would count the savings from removing that person from one set of payments, yet he or she might have moved into a different category of payment by the next morning. Is there a real saving? Where there is a suspicion of fraud, has the Department a mechanism whereby it can follow up with people to determine whether they have moved on to different payments?

**Deputy Joan Burton:** I can cite an example of some of the targeted examinations conducted by social welfare inspectors. Last June, 320 clients were visited, of whom 99 were called for further interview. A total of 43 clients had their payments suspended — 18 for not attending their interviews, 16 for no longer being at the addresses stated and nine for non-compliance with requests to supply information, for instance, rent and mortgage data. This work generated savings of €140,000.

Last April, there was a selective signing initiative at social welfare local offices. A total of 900 persons were required to attend for signing and interviewing in the course of two days and to present photographic ID and documentation. Of the 900 invited, 730 attended. Seventy non-attendees were excused, 36 people had found work, 37 people's claims were closed and 13 persons admitted to working casually or temporarily. This accrued a saving of just over €300,000.

Under the non-residency project, approximately 2,800 people received home visits and were interviewed about their claim status. A total of 308 claims were terminated as a result of the special investigations unit's work, generating savings of €3.24 million. A cleaning company received an on-site inspection to determine whether everyone working for it was registered for tax and insurance. Much of this type of work is done in conjunction with the Revenue Commissioners and is called feet on the street.

**Deputy Aengus Ó Snodaigh:** I have listened to the debate on control savings, but will the Minister answer two short questions? Does she agree that the figure for fraud is €25 million, approximately 0.1% of the entire budget? Is it correct to state that the figure of €645 million, the latest figure devised by the Minister and her Department, was arrived at through the bizarre logic of assuming a situation in which no controls or inspections were initially in place? As the economist Mr. Michael Taft stated, this is like the Garda estimating the number of murders that might take place were there no police force. The overpayment element of control measures equated to €80 million and fraud accounted for €25 million. It is a long way from the €650 million cited by the Minister.

**Deputy Joan Burton:** Is the Deputy saying in a roundabout way that he does not believe there is any fraud in the system?

**Deputy Aengus Ó Snodaigh:** I said fraud cost €25 million and I called for more inspectors.

**Deputy Joan Burton:** The vast majority of people who claim social welfare entitlements are absolutely honest but, to return to the example of the special projects I outlined to Deputy Fleming, if Revenue and social welfare inspectors visited a building site on which somebody from the North of Ireland is working it would not be possible without massive surveillance to determine how long he or she has been there. Generally, one will be told that the individual just started working that day.

**Deputy Sean Fleming:** That is NERA's job.

**Deputy Joan Burton:** We also co-operate with NERA on many of these inter-agency issues. However, we do not have a way of proving that an individual was working at a site for longer than he or she suggests. The saving on the control side comes from preventing that person from claiming in the future because he or she has on examination been discovered to have made an improper claim. There is no capacity in that case to prove fraud. In other cases, people have welcomed that the Department contacted them on, for example, the lone parent allowance because they had paid PRSI previously and they wanted to know that it was being properly spent on pensions, child benefit, etc.

If a recipient is no longer at the address he or she supplied to the Department, Deputy Fleming will be familiar with the basic auditing procedure of writing a letter to determine whether the payment should be discontinued. I am not saying that a significant number of people are acting this way, merely that there is a level of fraud in the system and it is important to implement measures to reduce it. If one is making payments to people which are no longer

[Deputy Joan Burton.]

appropriate because of fraud or any other reason, one saves on future expenditure by discontinuing them. That is an internationally accepted measure.

### **Social Welfare Code**

7. **Deputy Dessie Ellis** asked the Minister for Social Protection her response to the all-party Oireachtas committee report on the single working age payments recommendation that carer's should not be included in a single working age payment. [20602/12]

15. **Deputy Dessie Ellis** asked the Minister for Social Protection her response to the all-party Oireachtas committee report on the single working age payments recommendation that the value of the existing earnings disregards secondary benefit and means or capital allowances be maintained; and if she will offer a commitment to that effect. [20603/12]

18. **Deputy Pearse Doherty** asked the Minister for Social Protection her response to the all-party Oireachtas committee report on the single working age payments recommendation that the current rules preventing access to activation programmes by recipients of one parent family parent, disability allowance, carer's allowance and qualified adult dependent, for example, rules that a period of time must be spent on jobseeker's allowance before one can be eligible to participate, should be removed; and her plans regarding same. [20605/12]

28. **Deputy Seán Crowe** asked the Minister for Social Protection her response to the all-party Oireachtas Committee report on the single working age payment recommendation that she not proceed with the proposal for a single working age payment at this time. [20601/12]

32. **Deputy Gerry Adams** asked the Minister for Social Protection her response to the all-party Oireachtas committee report on the single working age payments recommendation that any programme of social welfare reform must be driven by an explicit anti-poverty and gender equality objective; and the steps she will take to ensure this becomes the case. [20604/12]

**Deputy Joan Burton:** I propose to take Questions Nos. 7, 15, 18, 28 and 32 together.

The Department of Social Protection has been exploring the option of a single payment for some time and published the report on the desirability and feasibility of introducing a single assistance payment for people of working age in November 2010.

The single working age assistance payment or single payment is a proposal to create a single social welfare payment that would cover all people of working age, including those who are currently classified as unemployed, with a disability or parenting alone.

The introduction of a single payment could potentially be a key development in the pursuit of a more focused and purposeful activation agenda delivered through the national employment and entitlement service, NEES. The single payment would provide recipients with access to the supports or services they need to enable them take up employment or avail of education and training opportunities, thereby producing better outcomes. The single payment would also be an opportunity to address the current complexity of Ireland's social welfare system by streamlining a number of different payments for people of working age, thereby making it more transparent and accessible.

I have noted the all-party Oireachtas committee report on the single payment and its recommendations. Given the specific nature and purpose of carer's allowance, the Government has decided to exclude it from any single payment proposals. However, I wish to emphasise that no other decisions have been made regarding the structure of the single payment or whether to proceed with its introduction.

Proposals on the single payment will be further developed by the Department over the coming months. The other recommendations of the all-party report will be considered in the course of this process. The outcome of the process will be considered by Government later this year.

**Deputy Aengus Ó Snodaigh:** I welcome the Minister's announcement that the carer's allowance will be excluded. It was excluded when the Department originally considered this matter but it reappeared subsequently. I ask for clarification on the half-rate payment and whether all carer's allowances will be excluded. There are two different types of half-rate payments, one for care of a second person and the other for those who also receive other payments.

**Deputy Joan Burton:** The Government has decided that recipients of the carer's allowance will be excluded from the single payment given that they are providing full-time care. Recipients of the half-time carer's allowance are generally either in receipt of another payment or are in part-time employment. The decision will depend on their situation but the decision includes carers generally.

The carer's allowance is fundamentally different from other schemes in terms of its objectives and measurement of a successful outcome. The underlying premise of the single payment is that people are available for work even if there are barriers such as disability or lack of child care, training or education. The success of the single working age payment is dependent on the availability of services of an appropriate nature. However, the underlying premise of the carer's allowance is that people are not available for work because they are providing full-time care and attention for someone assessed as needing care. The desired outcome is that they continue to receive carer's allowance as long as they continue to provide care.

In terms of public policy, all parties in this House recognise the valuable contribution that carers make to family members who are ill or require special attention, whether children or elderly relatives. The carer's allowance is not specifically a working age payment because it is available to anyone over the age of 18.

**Deputy Aengus Ó Snodaigh:** This is a significant announcement which I think will be welcomed by carers' associations. The report of the joint committee recommended that carers should be able to opt in to the single payment. The logic behind the recommendation was that a carer could thereby access activation measures where the relative was so ill that he or she was about to be hospitalised or institutionalise.

**Deputy Joan Burton:** That is a matter I am prepared to consider but we have until now confined our deliberations to the principle of the single payment and the significant role of carers.

### **Social Welfare Appeals**

8. **Deputy Willie O'Dea** asked the Minister for Social Protection the waiting times for appeals in her Department; the measures she has taken to address this issue; and if she will make a statement on the matter. [20570/12]

**Deputy Joan Burton:** I am advised by the social welfare appeals office that, based on figures for the first quarter of 2012, the average waiting time for appeals dealt with by summary decisions was 22.4 weeks, and 40.9 weeks for those that required an oral hearing. The comparable times for 2011 were 25 weeks and 52.5 weeks, respectively. In this regard I have already circulated to all Deputies a report on the performance in the first quarter.

[Deputy Joan Burton.]

These processing times are calculated from the registration date of the appeal to the date of its finalisation. They include all activities during this period including time spent in the Department 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. By its nature and because it is a quasi-judicial function, the processing of appeals takes time even at the best of times and reflects the fact that, by definition, the appeal process cannot be a quick one. It is also necessary to arrange locations for interviews and so on.

In an effort to reduce the processing times, the Department appointed 12 additional appeals officers between 2010 and 2011. In addition, a further ten appeals officers, formerly employed by the community welfare service of the HSE joined the office as part of the integration of the community welfare service appeals services into the social welfare appeals office. This brought the total number of appeals officers to 39. In addition to this, the office has improved its business processes and IT support.

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 continually being enhanced to reduce the backlogs in the office and, overall, to reduce the processing times for dealing with appeals. Progress is being made.

**Deputy Sean Fleming:** I understand that appeals take time. One of the main issues with which we deal in our constituency clinics is the amount of time it takes for an oral hearing especially when a medical report or additional medical information is required. Some time ago a report indicated that in approximately 50% of the cases going to the appeals office, something is granted by that office. In other words, the decision is changed to some extent. That begs the question for the poor individual who was left depending on a community welfare officer payment for the extra 44 weeks or a year or more as the case may be. They need to pay for what according to the appeals officer was possibly a wrong decision by the Department in the first place. Can the Department learn from the cases being decided in an appeals office to try to get the right answer the first time around? That would be the best way to reduce the delays in the appeals office. It is not just about staff but to reduce the volume of cases going there, which can be done by getting a more accurate decision by the Department in the first place.

**Deputy Joan Burton:** In 2008 there were 15,700 appeals and in 2011 there were 34,000, indicating that the volume of appeals has more than doubled. For the first time since 2008, in 2011 — particularly in the latter part — we have begun to make serious improvements in the processing times, particularly on new applications. IT improvements are being made and much of that work will be completed by June. Because of the quasi-judicial function, in 2011 a root and branch review of the process within the appeals office was carried to identify causes of logjams and to ensure the operating model in the appeals office is fit for purpose. The basic principle underlying the review was to gain efficiencies and improve the services to customers. The outcome of the review indicated that the process where there is a two-stage consideration of each file, where the file is vetted and either a summary decision is made or where an oral hearing is required, the placing of the file in a new queuing arrangement to be listed for oral hearing, was causing unnecessary delay and lacked transparency.

A new model was devised and has been implemented. An officer is now assigned a caseload and he or she will either decide the case summarily or if an oral hearing is warranted will take the case to oral hearing. The benefits of the new process are that it will be quicker for the

person applying and there will be no second queue. The appeals office will be in a position to give an appellant an indicative timeframe for a decision once a file has been assigned. There is less file movement and ownership of a caseload by an appeals officer carries an incentive to process the caseload in the most effective way. However, it is still a work in progress to try to improve it.

**Deputy Aengus Ó Snodaigh:** My question is on a related issue. Because appeals take so long, people then approach the community welfare officer thereby adding to the bureaucracy. The sooner those backlogs in appeals are dealt with the less the bureaucracy in the Department as a whole. More reviews of different payments happen resulting in a logjam in them also. There are logjams in internal reviews in benefits such as the domiciliary care allowance and family income supplement. In some cases the payments stop and people go without a payment, which is a bad habit.

**Deputy Joan Burton:** I would be very concerned about the domiciliary care allowance because I know it is so important to parents. We have already introduced new arrangements. For instance when a case is due for review, the parents now get three months' notice that the review is to take place. They will then get a further two months to make submissions through their medical advisers or other advisers. From now on when a person is granted a domiciliary care allowance and if there is to be a review date, that review date is indicated. The system I found when I came to the Department did not provide for that. The first stage when parents get the domiciliary care allowance is advising them there will be a review and when that review is likely to take place. When the review date is approaching they are then given three months' notice and then two months. That should considerably improve the capacity of parents to be able to deal with this in a reasonable period of time because I am aware how important it is. We are also carrying out other in-depth reviews and I will revert to the Deputy when that work is complete.

### Social Welfare Benefits

9. **Deputy John Browne** asked the Minister for Social Protection the changes that have been implemented in the eligibility for disability allowance; if additional tests are being undertaken by her Department; the numbers affected by changes; the numbers refused in 2010, 2011 and to date in 2012 as a percentage of total applications; the savings involved; and if she will make a statement on the matter. [20546/12]

**Deputy Joan Burton:** No changes have been implemented in recent years to the underlying eligibility conditions for disability allowance. The budget 2012 proposals relating to disability allowance have been referred to the independent advisory group on tax and social welfare, under the chairmanship of the barrister, Ms Ita Mangan. I expect the review will be completed by September 2012.

Disability allowance is a means-tested payment for people with a specified disability whose income falls below certain limits and who are aged more than 16 and less than 66, and are habitually resident in the State. Expenditure in 2011 was more than €1 billion in respect of some 103,000 recipients.

A person's means are assessed to determine the rate of payment he or she is entitled to receive. The requirement to be habitually resident in Ireland was introduced as a qualifying condition for certain social assistance schemes, including disability allowance and child benefit with effect from 1 May 2004. A person who does not satisfy the habitual residence condition is not eligible for specified social welfare payments, including disability allowance, regardless of citizenship, nationality, immigration status or any other factor. The purpose of this condition

[Deputy Joan Burton.]

is to safeguard the social welfare system from abuse by restricting access for people who are not economically active and who have little or no established connection with Ireland.

The number of claims for disability allowance refused for any reasons in 2010, 2011 and to end of March 2012 was 10,316, 14,116 and 3,458 respectively. The percentages of claims refused in 2010, 2011 and the first quarter of 2012 were 54%, 58% and 60%, respectively. These statistics refer to initial decisions only and do not reflect cases that were subsequently allowed following a deciding officer's review of additional information or evidence supplied, or following a determination by an appeals officer of the Social Welfare Appeals Office. The appeals office tells me that a total of 4,758 disability allowance appeals were determined by appeals officers in 2011, of which 1,830, or 38%, were successful or partly successful and 2,928, or 62%, were not successful.

**Deputy Sean Fleming:** The Minister has actually given us the answer that most people wanted to know, even though she said officially there was no additional test. She has proved the point I wanted to make in the question by saying that in 2010 the percentage of disability allowance claims that were refused was 54%, in 2011 it was 58% and in the first three months of this year it has risen to 60%. The figure is obviously rising. In a two-year period the percentage of claims being refused has risen from 50% to more than 60%. That is the change I am talking about. She did not change the rules, but she changed the method used to make the decisions.

Some of these were summary decisions. What category of staff members made these decisions? Were they made by medically qualified people? It is a medical issue. How many medical staff are dealing with claims of this nature, such as disability allowance and invalidity pension? Are these medical staff qualified doctors, occupational therapists or similar? Could the Minister specify the categories of staff that have increased the number of claims refused by 20% in the last two years?

**Deputy Joan Burton:** As I said to the Deputy earlier, the number of applications has continued to rise, particularly over the past six or seven years. Obviously the major increase in the volume of applications has put the system under pressure. The people who carry out assessments are medical assessors, who are qualified medical personnel, generally with training and experience in occupational medicine. It is open to anyone to submit an application for disability allowance; each application is examined by the Department and a decision made based on its merits. The OECD has international statistics showing that in times of recession and high unemployment, although the incidence of absenteeism through illness tends to fall — perhaps reflecting a more precarious labour market — people may make more applications for disability allowance because of long-term unemployment and certain medical problems. This is recognised internationally.

The illness and disability schemes have seen substantial rises in both recipient numbers and expenditure over the last decade. Total expenditure on short and long-term illness and disability schemes has increased from €1.1 billion in 2001 to €2.1 billion in 2006 and €2.7 billion in 2011, while the number in receipt of these payments has increased from 173,000 in 2001 to 216,000 in 2006 and 242,000 in 2011. There has been an enormous increase in the number of people participating in the different schemes.

**Deputy Aengus Ó Snodaigh:** The Minister mentioned that 38% of refusals were overturned on appeal. That is a large figure which the Department should be concerned about and should attempt to address.

When will the Minister confirm she is not going ahead with the changes to the disability allowance for 18 to 24 year olds? She pressed pause at Christmas but did not say it definitely would not go ahead.

**Deputy Joan Burton:** The purpose of the change was as follows. Under the current system, eligible 16 year olds begin to receive disability payments in their own right. I know the Deputy supports that, but my view is that between the ages of 16 and 18 the child is still dependent and therefore the payment should be made to the parents. I know the Deputy disagrees with me on this. Many parents who have a child with a disability have expressed the view to me that it is not the best thing for a child of 16 to receive a full disability payment in his or her own right, and that it should be made to the parent. The Deputy has a different view, but I think it is far better to make the payment to the parents until the child is 18. In fact, some children with severe disabilities are reliant on their parents far beyond that age. It is important that we recognise the authority and role of parents with regard to their under-18 children. When the report is presented by the advisory group, I will bring it to the Government and then to the House.

*Written Answers follow Adjournment.*

### Topical Issue Debate

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#### Social Welfare Benefits

**An Leas-Cheann Comhairle:** I take it the Minister is taking the first item on carer's allowance?

**Minister for Social Protection (Deputy Joan Burton):** I do not seem to have the response yet. Is it possible to proceed? I understood the Minister of State at the Department of Health, Deputy Lynch, was to take this matter.

**An Leas-Cheann Comhairle:** I must call on the Deputies first anyway.

**Deputy Joan Burton:** I will take it, because we are returning to the Bill after a short while.

**An Leas-Cheann Comhairle:** I call on Deputy Donohoe.

**Deputy Joan Burton:** The Minister of State, Deputy Lynch, is here now.

**Deputy Paschal Donohoe:** I welcome the Minister of State. The issue I am raising is the delay in the processing of applications for carer's allowance and carer's benefit. I have been contacted by a number of constituents who have made applications, and all they want to know is the status of their applications. This is highly reminiscent, unfortunately, of the difficulties that were encountered in the processing of medical card applications. The two situations have another thing in common. The reason these constituents applied for carer's allowance or benefit in the first place was that there was a change in their circumstances and they needed the money. Applications tend to be made at times of particular vulnerability or stress, and that is only added to by the way in which these applications are currently being handled. I know the Minister of State and her Department are seeking to make progress in this regard but an answer I received in early March to a parliamentary question acknowledged that 53,000 people were in receipt of carers' payments, an increase of 60% over the previous five years. At present, 7,800 people are registered and awaiting decision. In her answer, the Minister of State acknow-

[Deputy Paschal Donohoe.]

ledged this was unsatisfactory and stated steps had been taken in this regard. I am aware of the details in regard to the large overhaul taking place in the IT systems that administer this area. The Government and the Department of Social Protection are seeking to give this project very high priority so that they can respond promptly to a backlog they acknowledge is unacceptable.

In the few moments I have, I re-emphasise the upset this is causing people and I ask the Minister of State to do all she can to ensure the new processes are put in place in order that we can deal quickly with and answer the people who are making applications. I acknowledge the answer to the parliamentary question I submitted stated that particular resources were to be put in place until June 2012 that would ensure the best possible system. I ask that this process be accelerated. As was the case with the delay in regard to medical cards, undue worry is being caused to people. I am sure that with proper focus this can be handled in a far better way.

**Deputy Catherine Murphy:** I thank the Ceann Comhairle for selecting this topic. Most of us look at the cases that come before us in our constituency offices and see trends. There is no doubt that every week we are seeing increasing numbers of people coming in with concerns about carer's allowances. An applicant can expect to wait for eight months, which seems to be the average time before the application is reviewed or a decision is made. If one is refused, as a very large number of people are, with one third of the refused applications being overturned on appeal, it will be 14 months to 18 months from beginning to end when the appeal is included.

One cannot talk about home care packages and people being inappropriately referred to nursing homes if one does not look at the nuts and bolts of what is happening in this area. I had two cases this week which illustrate this point very well. A man came to me who is caring for both his father and his mother. One consultant said of the father: "He is wheelchair-bound, I am booking him for extensive revision surgery. He may well remain permanently in a wheelchair." The second consultant said the father was completely unable to take care of himself for the foreseeable future and were it not for his son looking after him for the previous five months, he would have required institutional care. That man was refused and the case is on appeal. How can anybody refuse such a case where consultants are being second-guessed and that kind of information is on the file? It is mind-boggling.

The second person I met had a sister who is caring for both her mother and her brother, who is in a wheelchair, has an invalidity pension and is visually impaired. Her sister was formerly paid a carer's allowance. Between them they wanted to swap the allowance from one sister to the other, who had stopped working in order to do this. She was refused on the basis that her mother was not incapacitated enough. There was no mention of her brother even though both persons were included on the same application form. I submitted a parliamentary question asking how one can appeal on behalf of one person when there are two people on the same application form.

There is something chaotic going on in the Department, particularly in regard to the carer's allowance. I echo the point made by Deputy Donohoe. It is most reflective of the kind of chaos that happened in regard to medical cards. That situation has improved substantially but this one needs urgent attention because it is chaotic at present.

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** Currently, there are approximately 52,000 recipients of carer's allowance. Of these, approximately 22,000 are in receipt of half-rate carer's allowance in addition to another primary social welfare payment. The rates of payment were maintained for carer's allowance in budget 2012 and no changes

were made to the means test for carer's allowance. The current income disregards for eligibility for the allowance, which are the most generous in the social welfare system, are €332.50 per week for a single person and €665 per week for a couple. The increased payment for those caring for more than one person was also retained. In addition, carers continue to get an annual respite care grant of €1,700 in respect of each person for whom they care.

The number of people claiming carer's allowance and carer's benefit has increased from 21,000 to 52,000, or about 250%, over the past ten years and the rate of receipt of new claims continues to remain at high levels. There are currently approximately 7,800 new applications registered and awaiting a decision, with approximately 330 new applications being received each week. This increase in claim-load has imposed significant demands on the Department's processing staff both with regard to processing new claims and paying and maintaining the increased stock of beneficiaries. In order to meet the challenge of increased volumes of new claims for its schemes, the Department has embarked on a major programme of process redesign and modernisation, including the deployment of new computer systems. This new processing system is being introduced for the carer's allowance scheme, with the first tranche of new carer's allowance claims under the new system processed in August 2011.

It is anticipated that the new system will, when fully rolled out, 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 in June of this year, when all existing carer's allowance claims will be transferred onto the new processing system. Accurate processing time figures are not available at present as applications are still being processed on both the old and the new computer systems. The average time to award an application at present is estimated at around 28 weeks. I know it can sometimes be longer.

I acknowledge that this is unsatisfactory but I am satisfied the Department is taking all steps available to it to resolve the issue. In addition to the deployment of new systems which should address service levels in the medium term, the Department is allocating additional resources in the form of overtime working to help reduce backlogs that have built up. In addition, approval has recently been given for the assignment of temporary staff to expedite the reduction of the backlogs. However, it is expected to be a significant number of months before the backlog is reduced to an acceptable level. Although the new systems and processes will facilitate a significant improvement in overall processing times, it should be noted that individual claims may continue to take some time to process. 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. Sometimes this is not the case.

In the meantime, if a person's means are insufficient to meet his or her needs, the community welfare officer should step into the breach. I am sure all Deputies know this. With regard to carer's benefit, there are currently 488 new applications on hand and the current average processing time is approximately ten weeks.

**Deputy Paschal Donohoe:** I thank the Minister of State for her response. She emphasised the point made by Deputy Murphy, namely, that this is causing great worry and upset for people who are already worried and upset because there has been a change in their circumstances. Otherwise they would not be applying for this allowance. They come into my office and contact me with a regularity and a frequency which indicate we have a severe challenge that must be addressed.

[Deputy Paschal Donohoe.]

I welcome what the Minister has stated in regard to the steps being taken. Does she agree that the current average waiting time of 28 weeks, even on the current system we are looking to replace, is completely unacceptable? I urge her to do everything possible to accelerate this project. I welcome that additional staff are being brought in to deal with the backlog but we must do all we can to help these people because massive undue stress and worry is being caused.

**Deputy Catherine Murphy:** There are two criteria a person must meet, first, income and, second, medical eligibility.

In some cases it is easy to determine income eligibility but it beggars belief that some of the cases are turned down on medical eligibility and adds to the workload of the Department. The two cases I referred to came in last week. I did not pick them out because they are optimal cases.

There is a review of the fair deal scheme under way at the moment and the Minister for Health referred to inappropriate referrals to nursing homes. We cannot talk about the fair deal scheme if support is not in place. A person may require carer's allowance next Monday because someone has a stroke or an illness, which is not something someone can plan for. In my experience, 28 weeks is short and it is substantially longer than that in a large number of cases. I do not believe the average is 28 weeks but, with two systems, it is not possible to calculate it. It is welcome that people will work on the backlog but this must be regarded as a crisis.

**Deputy Kathleen Lynch:** I agree substantially with what the Deputy said. The figure of 28 weeks is probably a low average but it is not possible to get the true average when there are two systems. Additional staff is being allocated to this work and, along with overtime and the new system them, this will have a significant impact.

Deputy Catherine Murphy has been working in the public interest for long enough to know that, as politicians, we cannot interfere with medical criteria. I understand that some matters defy belief but if we give experts — particularly medical experts — a particular job and set criteria, we must allow them to do their jobs. We cannot interfere in that area and it is only in the processing of claims that we can have an impact.

### Television Reception

**Deputy Jim Daly:** I acknowledge the presence in the Chamber of the Minister for Communications, Energy and Natural Resources, Deputy Rabbitte, to hear this presentation. The analogue television system is changing and we are moving to Saorview. The Minister has spoken in the House and responded to parliamentary questions on this topic from my colleague, Deputy Brendan Griffin. It is a big issue for people in west Cork and west Kerry in particular. RTE and Saorview have written to me confirming that 98% of the people in the country will be able to avail of the new service but 2% will not. Unfortunately, for those in west Cork and west Kerry, that 2% is primarily in our bailiwick and we are not satisfied.

An alternative arrangement is Saorsat, providing television services to the 2% not covered by Saorview. In total, 120 locations will be affected. Saorsat incurs significant costs for homeowners who wish to avail of it. Each household must pay €300 for Saorsat in comparison to the costs of those using Saorview. That amounts to three times the household charge foisted on many of my constituents in west Cork.

In addition, viewers will not receive the same service because they can only avail of two channels — RTE 1 and RTE 2 — and will not receive TV3 or TG4. The area has a proud sporting tradition, to which west Kerry has also contributed, and a language tradition so it is

particularly ironic that we cannot receive TG4 in west Cork and west Kerry. It is a damning indictment of the proposals before us.

It is discriminatory that my constituents must pay an additional €300 when they will receive only half the service provided to their counterparts in the rest of the country. I appreciate that the Minister will say this is an operational matter for RTE but we know the relationship between the State and RTE. Furthermore, the licence there has been paid for years by the good people of Ireland. In west Cork, we have had many issues with RTE reception over the years. In Leap, a village near where I live, people fought for 20 years to get the RTE service. I was a teacher in Leap national school and one of the first essays I gave the children was on what the arrival of TV3 meant to them. I received a string of letters the next day welcoming me to Leap and telling me that they had only just received RTE 1 in the past six months. They spent 20 years trying to get the RTE service and fighting the good cause. They raised funds and had their own aerial erected eventually. RTE came on board eventually but now these people are being cut off. I plead with the Minister to talk to RTE about this matter, which involves cost. I do not want to see my constituents discriminated against.

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** I thank Deputy Jim Daly for raising this matter, which is undoubtedly a challenge and an issue on which we are focusing much attention. I am not setting out to deprive the children of Leap of their access to television; rather, the signal is being switched off across Europe and we do not have a choice in the matter. The challenge is to manage efficiently the switch off and the move to digital.

RTE has built, owns and controls the Saorview TV network and is responsible for the roll-out, coverage and operation of that network. This is in accordance with Part 8 of the Broadcasting Act 2009, which provides that the development of the RTE network is an operational matter for RTE and therefore not one in which I, as Minister, have a function. However, I have had enquiries made in regard to the situation in west Cork as raised by the Deputy and can now provide the following information. Section 130 of the Broadcasting Act 2009 Act provides that RTE must roll out a national digital TV network to the same extent as its existing analogue network. In this regard, I understand from RTE that the analogue network covers 98% of the population and the Saorview network will also provide 98% population coverage.

Work has been ongoing across the country to prepare the transmission sites for the move from analogue to digital terrestrial television. However, it is virtually impossible to cover 100% of the population by terrestrial means. Reasons for this include local topography, for example. While cover from a terrestrial network can never reach 100% of the population, RTE is conscious of the needs of communities and is making efforts to ensure areas with larger population centres are provided with the Saorview service. These areas include Glenties, Bandon, Carlingford and Dingle.

In addition to Saorview, RTE has developed Saorsat, a new free-to-air satellite service unique to Ireland to ensure the RTE television services are available to the remaining 2% of the population. Currently, Saorsat provides access to the RTE channels. TG4 will be available shortly. TV3 has not yet made a decision on carriage of the service. As soon as the decision is made, I will let the House know. RTE is not obliged to provide this satellite service and is doing so on its own initiative. I am informed that with this satellite service, Ireland will have a national TV network covering 100% of the population for the first time.

To provide further clarification to the House, I have been informed by RTENL that certain parts of Ireland, including west Cork have been serviced by transposers, self-help community systems and deflectors. These are not being replaced or upgraded by RTENL. Also, the license for the analogue system on which these community systems, transposers and deflectors operates

[Deputy Pat Rabbitte.]

expires at the end of 2012. Homes that currently receive television signals from these systems will have to adjust their aerials to point to a Saorview transmission site and some homes may need to use Saorsat. Should the Deputy have further questions about specific areas, I am happy to pass them on to RTE on his behalf. Information on coverage is available from the dedicated Saorview website [www.saorview.ie](http://www.saorview.ie). Information on Saorsat is available on [www.rtenl.ie](http://www.rtenl.ie).

**Deputy Jim Daly:** I appreciate the Minister's response and thank him for coming into the House to deal with this issue. The challenge I wish to bring up is that while nationally 98% of the population is unaffected by this, unfortunately in my area 98% of the people will be affected and only 2% will not be affected. The inverse applies in my area and that makes the situation difficult to deal with.

I appreciate the Minister's response, it contains some helpful pointers. It is progress that TG 4 will become available. I will take up the issue of some of the deflectors in the area with RTE, but there are additional costs and many people will end up having to get the Saorsat service. The majority of my constituents who will have to get the Saorsat service will have to fork out an additional €300 or go to SKY, where the basic package is approximately €288 a year. Therefore, it is much of a muchness financially. My constituents will be at a big disadvantage when this happens, but that is not what I wish to see for them. I thank the Minister for his response and will take him up on the offer to engage in further communication on this.

**Deputy Pat Rabbitte:** There are technical and topographical obstructions in the way of 100% coverage and I have sympathy for those in the situation described by Deputy Daly. I have asked RTENL to look constructively at this issue and at the problems arising, before the switch-off takes place, with a view to seeing what can be done for the viewers to whom Deputy Daly refers. As a result of him raising this issue today, I have asked RTE for an overview report on coverage in Cork and I will be happy to share that with Deputy Daly when it comes to hand. The Saorview network will cover virtually all — but not all — properties in the country. What is true of the digital network is also true of the analogue network, which did not cover 100% either. Saorsat is there as a fallback or fill-in solution to reach areas the network cannot reach.

Saorview and RTENL held an open day briefing for all Deputies and Senators a couple of weeks ago in a venue adjacent to this building, but, unfortunately, the event was not well attended. I do not know whether that was because it was not well advertised or because Members were otherwise busy. Perhaps that event should be repeated if colleagues feel it is necessary. It is important to acknowledge that RTE is putting an investment of some €70 million into this initiative. One would not have been able to rely on the private sector to invest that kind of money in coping with the switch-off across Europe. This is a good example of how a State company can provide essential infrastructure in circumstances where similar investment would not be forthcoming from the private sector.

### Flood Relief

**Deputy Aodhán Ó Ríordáin:** I appreciate the attendance of the Minister of State, Deputy Brian Hayes, in the Chamber.

I want to bring to the attention of the Minister of State the level of panic heavy weather warnings bring to areas in my constituency and others. My colleague, Deputy Kevin Humphreys, from Dublin South-East has said the same. Heavy weather warnings have been issued for today, but by 2.15 p.m. Dublin City Council had downgraded the threat. That said, areas across Dublin city and throughout the country have major flooding flashpoints whenever heavy rainfall occurs. In my constituency, areas such as Artane, Coolock and Donnycarney are at risk and in the past 18 months I have witnessed the same families being moved out of their

homes on a number of occasions. When we have heavy rain warnings now, panic ensues and people contact local authorities to see what plan is in place. They also contact their local representatives to find out whether there is a plan in place. It is disconcerting that families have to huddle around radios and televisions for the weather forecasts in their worry about where they may end up living the following week.

I accept that the responsibility in this regard falls to the local authority but I hope the Minister of State will address the issue. Is he satisfied that the various programmes that have been outlined by his Department for flood relief and flood risk assessment have been rolled out? Is he satisfied that in terms of the local authority response, his Department and the Department of the Environment, Community and Local Government give adequate support to that response? It is only when one is faced with the chaos of a flooded street or home that people quickly realise that despite the bravery of local council workers and the fact they work around the clock and they put their own safety in danger, resources and plans should be in place that automatically come into play when these situations arise. Are there weather alerts that will ensure these plans will be activated and that the various agencies will know how to respond?

I am aware the local authorities are responsible for these issues but they are concerned with the long-term strategic view and plan of the Government, which is to ensure that investment is put into infrastructure in local areas so as to ensure when there is heavy rainfall — which may be a climate change issue to which we must get used — local authorities are fully equipped to deal with that. Not alone that, we must ensure the State has taken its responsibility seriously and has made the interventions and investments required to correct any flood risks that exist.

I urge the Minister of State to respond to these points. We cannot allow a situation where some of our citizens are terrified at the prospect of heavy rainfall. This is what I face this week for my constituents. They want to know that they will not have to live under this cloud. There are other implications to this, such as house insurance. The Minister of State has been proactive previously in dealing with the Irish Insurance Federation on this but people whose houses are continually flooded cannot get house insurance. Incoming buyers will not get insurance either, rendering the property effectively worthless. This is the situation I face in my constituency and other Deputies face the same. I would appreciate a response on this.

**Minister of State at the Department of Finance (Deputy Brian Hayes):** I thank the Deputy for giving me the opportunity to address the House regarding the action being taken to deal with flooding and on the activities of OPW to reduce future flood risk. The Office of Public Works was designated by Government as the lead agency to implement the national flood policy and to deliver on the requirements of the EU floods directive dealing with management of flood risk. In this role, the OPW works closely with other State bodies, including local authorities. However, the principal response agencies for major emergencies, including flood events, are the Garda Síochána, the HSE and the relevant local authorities. In such emergencies, the OPW provides assistance to these agencies if requested to do so, often in the form of technical input or the supply of equipment. The local authorities and other agencies will have made preparations to respond appropriately and quickly to any flooding incidents arising from the rainfall experienced in the south and east of the country today and with further rain expected tomorrow.

Since the severe flooding event in the city and the east coast in October 2011, a working group of relevant agencies, including the OPW, was established under the aegis of the Department of the Environment, Community and Local Government, to carry out an in-depth review of emergency response procedures actions and mechanisms, with a view to identifying improvements within the emergency framework. The Government task force in emergency planning

[Deputy Brian Hayes.]

has been briefed on the group's draft report which will shortly be submitted to Government for its consideration.

The OPW principal areas of activity for dealing with flooding include (1) major capital works schemes; (2) minor coastal and non-coastal schemes; (3) national catchment flood risk assessment and management, CIFRAM, studies; and (4) arterial drainage maintenance. The total allocation included in the OPW Vote in 2012 for the above flood relief programmes is €60.78 million. Under its major capital works programme, OPW currently has nine major flood relief schemes at construction stage. It is expected that another six schemes will commence construction before the end of 2012, subject to completion of procurement and other preparatory formalities and availability of funding. There are also a further 11 schemes at various stages of design and planning. Approximately €29 million is expected to be expended on all of these schemes during the course of the year.

Under the minor works and coastal protection scheme, OPW provides funding to local authorities for smaller scale, more localised mitigation measures they may wish to undertake in their areas. It is open to any local authority to submit an application to OPW for funding under the scheme. The standard application forms, guidelines and eligibility criteria, are available on the OPW website. Each application will be assessed in accordance with the criteria now in place and having regard to the overall availability of financial resources for such works in 2012. To date this year, funding of almost €1.5 million has been approved under the scheme for 13 local authorities in respect of 36 projects. Total funding of €21.4 million was approved in 2010 and 2011 combined, for 32 local authorities in respect of 265 projects. The relevant local authority is responsible for the procurement, planning, detailed financial management and day-to-day implementation of all aspects of the projects approved under the scheme. Local authorities are continuing to undertake a number of the projects approved in 2010 and 2011 and are expected to commence further projects in 2012.

In addition to the specific flood relief works, OPW is continuing with a major national initiative to systematically identify, assess, document and report on the most significant flood risks throughout the country. This is the ongoing CIFRAM study. Under the arterial drainage maintenance programme, OPW will continue in 2012 to undertake ongoing maintenance of completed arterial drainage and flood relief schemes.

In conclusion, I wish to assure the House of my commitment, and that of the Government to ensuring that the strategy currently being implemented by OPW and other agencies to reduce national flood risk throughout the country will continue despite the unprecedented budgetary constraints and pressures.

**Deputy Aodhán Ó Ríordáin:** I thank the Minister of State for his reply and I thank the Ceann Comhairle for allowing this matter to be raised. I have some questions about how the OPW is assessing climatory change and the risk of flooding in the future. I am delighted to note the level of investment at a national level. I know he joins with me in sympathising with residents who are concerned about weather reports. I ask the Minister of State to provide an update on his discussions with the Irish Insurance Federation regarding the difficulties in obtaining house insurance experienced by residents whose homes have been affected by flooding.

**Deputy Brian Hayes:** I thank Deputy Ó Ríordáin for raising this very important matter. I understand the heightened state of fear that exists particularly along the east coast, given the substantial rainfall expected over the next few days and given that last October, this city experienced a flooding calamity in various parts of the city. People are understandably frightened. I

wish to assure the Deputy, however, that the Dublin city authorities have taken a number of actions to deal with the situation. There have been recent inspections of all river schemes to ensure drainage systems are operating fully. Closed circuit television systems are used to identify problems in the city. The roads department is monitoring the network and will mobilise if necessary. Dublin fire brigade is on hand to respond if required. Additional staff have been placed on standby. We have learned lessons from the events of last year. Local authorities in Dublin and elsewhere have been working with the Government to prepare an immediate response if this is required.

The Deputy has raised the important issue of climate change. The CIFRAM study will identify 250 hot spots around the country which have experienced historic and more recent flooding. This study is mapping the entire country segmented into six regions. When this is completed we will be in a better position to use resources and to avoid the planning and development mistakes which were made in some of those flood plain areas.

In reply to the Deputy, I have had two meetings with the Irish Insurance Federation and I have instructed my officials and the Irish Insurance Federation to produce an agreement on first principles, particularly with regard to residents who do not have flood insurance but where a flood defence has subsequently been installed. This is not acceptable and I have made this patently clear to the insurers. I hope they will take this opportunity to reach an agreement with the Government on a set of guidelines and principles as has happened in other jurisdictions and with regard to expenditure and the completion of insurance premiums. If people cannot get insurance in areas where a flood defence has been installed, I want to know about it because the Irish Insurance Federation has informed me that insurers do not currently note a demand. Our hand will be strengthened by having more information when negotiating with the insurers.

### **Workplace Deaths**

**Deputy Jonathan O'Brien:** I wish to share time with Deputy Dessie Ellis. I thank the Ceann Comhairle for selecting this matter. The Ceann Comhairle may not be aware that next Saturday, 28 April, is workers' memorial day. Figures I have received this morning indicate that since 2008, a total of 216 people have died in the workplace. There has been a gradual increase year on year. In 2010, 48 people died; 54 people died last year and so far this year, 14 people have died in the workplace. Considering there has been a decrease in the numbers employed this increase needs to be dealt with by the Government. There is no doubt that some employers are disregarding health and safety standards and procedures in the workplace. More often than not, this is the interests of chasing profits and we have seen the consequences. In 2005, the Law Reform Commission reported on the need for criminal liability in the area of corporate manslaughter. Sinn Féin published a corporate manslaughter Bill in 2007. Before it fell at the last general election, the previous Government was examining the introduction of legislation to address this area. It actually published the heads of a Bill which sought to introduce two new offences. One concerned the area of corporate manslaughter which would give effect to criminal liability against corporate entities, while the other concerned management causing death, which would have held individuals responsible.

Will the current Government pursue that legislation, or is it planning to introduce its own legislation to address this matter? We are one of the few remaining EU countries which does not have legislation on corporate manslaughter.

In the lead up to Workers' Memorial Day, it would be a good step for the Government to take on board the Law Reform Commission's recommendations and bring forward legislation to rectify this matter.

**Deputy Dessie Ellis:** The purpose of Workers' Memorial Day is to remember the dead and fight for the living. It is a memorial to remember all those killed through work, while at the same time ensuring that such tragedies are not repeated. The best way to do this is to ensure better health and safety in addition to stricter enforcement with higher penalties for breaches of health and safety laws in the workplace.

Figures for workplace fatalities in the Twenty-six Counties are increasing, even though construction figures are at an all time low. We have a large amount of unemployment. It should be worrying for workers and their families, trade unions, employers and the Government that unsafe practices have increased despite the economic climate. So far this year, 14 people have died in the workplace.

More stringent health and safety regulations are long overdue. Sinn Féin has consistently argued the case for the urgent introduction of legislation that will put corporate killing on a statutory footing. When the figures are analysed, one has to ask why such legislation has not been introduced.

It is not unreasonable to assume that some employers may take a cost-benefit approach to the implementation of health and safety requirements in the workplace. For example, it may cost more to arrange a safer traffic management system in the workplace, or to replace damaged machinery, than to pay a fine that would be imposed on the offending company should the death of an employee occur on the job. While this may seem a cynical opinion of companies, it is not without warrant.

It should not be the case that a company responsible for the death of a worker through its own negligence can argue that any fine imposed is unduly severe. It hardly acts as an incentive for companies to comply with the inadequate health and safety legislative requirements that currently exist. A system that allows reckless employers to get off scot free for the death of an employee must not be allowed to continue. The possible prosecution of individuals could be the key to reducing workplace deaths. Checks and balances are required to ensure that all possible steps are taken, including keeping safety equipment and signage up to standard.

**Deputy Brian Hayes:** I have been asked to address this matter in the absence of my colleague the Minister for Jobs, Enterprise and Innovation, Deputy Bruton, who is abroad on Government business.

The health, safety and welfare of persons at work can be considered a fundamental right for all workers and, as such, is governed by a comprehensive body of primary legislation. The responsibilities on employers and employees are clearly set out in the Safety, Health and Welfare at Work Act 2005, and these can be summarised as the provision of a safe place of work by an employer and the taking of reasonable care towards one's own safety and the safety of others while at work by each worker.

The protection of workers in the workplace is recognised at all levels, from the United Nations by way of the work of the UN's International Labour Organisation; at EU level through a multitude of occupational safety and health directives based on the so-called Framework Directive in this area; and finally in our own domestic legislation.

The Safety, Health and Welfare at Work Act 2005 updated and replaced the earlier 1989 Act under which the Health and Safety Authority was established. The authority supports the maintenance of a safe and healthy workplace for all workers. Its functions under this Act include:

- the promotion, fostering and encouragement of health and safety in the workplace;
- providing frameworks that support the prevention of accidents in the workplace; and

— the provision of education and training on health and safety in the workplace.

The Health and Safety Authority also has responsibility to enforce the national provisions of occupational safety and health legislation, which it does by inspecting, advising and where necessary prosecuting those in charge of a place of work for breaches of the legislation.

The maximum penalties under the 2005 Act amount to €3 million and or two years' imprisonment. Prosecutions have taken place at the behest of the authority where inspections or investigations have demanded this. Such prosecutions have generally centred on employers who have failed to ensure the provision of a safe environment for their employees and where this failure has led to a fatality.

In this regard, it should also be noted that under the Safety, Health and Welfare at Work Act 2005, managers and directors can be made liable and proceeded against directly for failures. This has happened in a number of cases involving fatalities.

Unfortunately, there have been workplace deaths for as long as there have been workplaces. To address such fatalities, and indeed the far-too-many injuries that can occur in workplaces, successive Governments have introduced legislation to enable workers to carry out their jobs in as safe a way as possible.

Over the last five years, including the early months of this year, 216 workplace deaths have been recorded by the HSA. Every single workplace fatality is a personal, family and workplace tragedy that deeply affects many people. Over the course of that period, by far the worst affected work areas have been agriculture and construction, representing over 50% of the total. Each death is a terrible tragedy and the Government continues to work in tandem with the Health and Safety Authority as well as trade union, employer and farming bodies in particular to work towards ever safer workplaces.

Overall, the Minister for Jobs, Enterprise and Innovation and the Health and Safety Authority are satisfied that current occupational health and safety legislation contains sufficiently robust provisions to deal with serious breaches by employers of their duty to provide a safe place of work for employees, or by employees behaving recklessly. Nonetheless, Government and all players continue to work in partnership to continue to pursue ways and means of improving workplace safety on the ground.

The Law Reform Commission's 2005 report on corporate killing recommended an offence of corporate manslaughter, to which the Deputies referred, addressing corporate entities and a derivative offence of "grossly negligent management causing death", which could be addressed at high managerial agents within a company.

Arising from this a Government decision of December 2010 approved the drafting by the Minister for Justice and Equality of a General Scheme of a Criminal Justice (Corporate Manslaughter) Bill to implement the principal recommendations in the report. An inter-departmental working group, chaired by a retired Secretary General of a Government Department, was established to conduct a regulatory impact analysis of the proposals. It is expected the working group will complete the required RIA by the end of this year.

Workers' Memorial Day is a day of remembrance for workers killed, injured or made ill by their work. In 2001, the International Labour Organisation recognised Workers' Memorial Day. The ILO announced 28 April as an international day of action for safety and health at work, which is an annual international campaign to promote safe, healthy and decent work around the globe. It is a memorial day the Government wishes to be associated with and I understand the Health and Safety Authority will be involved in marking the day here in Ireland.

**Deputy Jonathan O'Brien:** I do not agree with the Minister of State's analysis that the current legislation is sufficiently robust. He referred to the 2005 Act, but I would like to know how many people have been prosecuted under that legislation. I will get the answers through tabling a parliamentary question. How many people have received the maximum penalty of two years imprisonment or a fine of €3 million? I am sure when I get the figures I will see a difference between the number of people brought to book compared to the number of deaths. With regard to the Law Reform Commission the Minister of State spoke about the impact analysis being done and which it is hoped will be completed by the end of the year. Is it the intention of the Government to introduce legislation to give effect to the Law Reform Commission's report or will it be dependent on the impact analysis being undertaken?

**Deputy Dessie Ellis:** It is very disappointing that in 2005 the Law Reform Commission's report recommended the introduction of an offence of corporate manslaughter but in 2010 the Government established an interdepartmental working group to report back. This is a very long time. We should be pressing this issue as it is urgent. In my constituency of Dublin North-West there were two fatalities, a worker and a child, as a result of bad practices during the regeneration of Ballymun. Given the effect this is having on families we need to work on it as quickly as possible.

**Deputy Brian Hayes:** I congratulate both Deputies for raising this matter. I suspect most people are not aware that 28 April is a day to mark better health and safety practices in the workplace. I congratulate both of them for raising the matter and highlighting it on the floor of Parliament. They are absolutely correct that there is a responsibility on the Government to respond to a long-standing report which came to a clear conclusion on the issue of corporate manslaughter. On coming into office the Government gave a very clear commitment that where we introduce new legislation at the very least we would do a regulatory impact statement on its effects. I understand from the Minister, Deputy Bruton, that this is ongoing. An interdepartmental group is working on it which expects to conclude at some stage over the next while. I presume the conclusion of this will be one way or the other whether we want to legislate. I will not speculate on what the outcome will be. I assure both Deputies the Government is taking the issue very seriously and we would not have established an interdepartmental group were this not the case.

It is very important to mention the extraordinary costs for the State associated with bad practice of work safety. I refer to the terrible and horrendous injuries that can be caused to workers in the course of their duties. The State must pick up the tab for this. This is a much wider issue. It is not just about the appalling tragedy for families who lose loved ones in terrible accidents. It is also about the enormous and ongoing costs the State must bear because of these bad practices which should have been highlighted in the workplace in the first place.

Deputy O'Brien asked me how many prosecutions there have been. I do not have the figure but I will ask the Minister to revert to him on the total number of prosecutions that have followed since the introduction of the legislation. It is important to put this on the record.

## **Social Welfare and Pensions Bill 2012: Committee Stage (Resumed)**

### SECTION 1

Debate resumed on amendment No. 2:

In page 3, subsection (4), line 18, to delete “Section 3” and substitute “Sections 9, 12, 14, 15, 16, 17 and 19”.

—(Minister for Social Protection)

**An Ceann Comhairle:** I understand the Minister completed her reply to the debate on amendment No. 2 to section 1.

**Deputy Sean Fleming:** What amendment are we discussing?

**An Ceann Comhairle:** I understand we have completed the debate on amendment No. 2 in the name of the Minister to section 1.

Amendment agreed to.

**An Ceann Comhairle:** Amendments Nos. 3 to 5, inclusive, are out of order.

Amendments Nos. 3 to 5, inclusive, not moved.

Question proposed: “That section 1, as amended, stand part of the Bill.”

**Deputy Sean Fleming:** Section 1(4) deals with the date of the coming into operation of section 3 with regard to voluntary contributions. Is a change proposed to this commencement date? An extensive amendment on this issue will be proposed which will include a date for when it will come into effect rather than a commencement date.

**Minister for Social Protection (Deputy Joan Burton):** I have tabled an amendment to make clear it is being phased in. This is with regard to voluntary contributions in section 3.

**Deputy Sean Fleming:** Yes.

**Deputy Joan Burton:** It will be phased in over a period of three years parallel to changes already made. It will affect a very small number of people, and if I remember from yesterday 68% of these are men. It mainly involves people living overseas and other specialist categories including Dáil Deputies.

**Deputy Sean Fleming:** I am asking for clarification with regard to amendment No. 1. Will it mean the deletion of the original section 1(4)?

**Deputy Joan Burton:** Amendment No. 1 was in the name of Deputy Ó Snodaigh.

**An Ceann Comhairle:** It is amendment No. 2.

**Deputy Sean Fleming:** With regard to section 1 of the Bill have we deleted section 1(4) through the Minister’s amendment? Is the original section 1(4) still there? That is all I am asking.

**An Ceann Comhairle:** It would appear from the amendment that——

**Deputy Sean Fleming:** I think it is.

**Deputy Joan Burton:** Section 3 is being phased in.

**Deputy Sean Fleming:** So the original subsection is gone. That is okay. I just wanted clarification on it.

Question put and declared carried.

Section 2 agreed to.

#### NEW SECTION

**Deputy Joan Burton:** I move amendment No. 6:

In page 4, before section 3, to insert the following new section:

“3.—(1) Section 24 of the Principal Act is amended—

(a) in subsection (1) by substituting “520 contribution weeks” for “260 contribution weeks”, and

(b) by inserting the following subsections after subsection (1):

“(1A) In the case of a person who becomes a voluntary contributor paying contributions under this Chapter before 6 April 2013, subsection (1) shall be read as if ‘260 contribution weeks’ were substituted for ‘520 contribution weeks’.

(1B) In the case of a person who becomes a voluntary contributor paying contributions under this Chapter on or after 6 April 2013 but before 6 April 2014, subsection (1) shall be read as if ‘364 contribution weeks’ were substituted for ‘520 contribution weeks’.

(1C) In the case of a person who becomes a voluntary contributor paying contributions under this Chapter on or after 6 April 2014 but before 6 April 2015, subsection (1) shall be read as if ‘468 contribution weeks’ were substituted for ‘520 contribution weeks’.”.

(2) This section comes into operation on 6 April 2013.”.

This relates to a small number of people and the purpose of the amendment is to phase in the changes in the number of contributions over a number of years.

**Deputy Aengus Ó Snodaigh:** I will not delay the House on this issue. This is an interesting change. There may be people who do not have the required number of contributions and the Minister is, through this change, allowing them to purchase extra contributions to bring them up to the required number. She is in effect allowing them to make a voluntary contribution. I do not believe there would be a huge level of take-up of this provision. The information I have is that there was a lengthy lead-in period in respect of this change and that, therefore, a huge number of people will not be affected. As I understand it, the period involved is some 15 years.

**Deputy Joan Burton:** Yes.

**Deputy Aengus Ó Snodaigh:** That is an example of how to phase in changes to pensions and so on. It ensures people are well aware of the changes before they come into effect. It is a pity this type of lead in period was not in place in respect of changes last year to the State pension transition or the accelerated change in terms of the pension age from 66 to 68 years. As the Minister has clarified the matter for me, I withdraw my opposition to the section.

**Deputy Sean Fleming:** As I understand it this provision relates to people who have an entitlement but wish to increase it. Also, will this affect women who had to leave the workforce for a period?

**Deputy Joan Burton:** No. It hardly relates to women at all. The percentages involved are, approximately 68% men and 32% women. There has been a widespread misconception that this will affect women more than men. However, that is not so. This relates to a person who has left paid employment but wishes to continue to make voluntary contributions. A number of those people would be abroad. Only a limited number of people, approximately 1,000, are involved. This might also relate to Members of this House who make contributions but who do not in some cases get entitlement as a consequence.

**Deputy Sean Fleming:** So it will not affect anyone currently in receipt of a pension.

**Deputy Joan Burton:** No.

**Deputy Sean Fleming:** Okay. Thank you.

Amendment put and declared carried.

Section 3 deleted.

#### SECTION 4

**An Ceann Comhairle:** Amendments Nos. 7 and 8 have been ruled out of order. I understand section 4 is being opposed by Deputies Catherine Murphy, Sean Fleming, Richard Boyd Barrett and Aengus Ó Snodaigh.

Question proposed: "That section 4 stand part of the Bill."

**Deputy Catherine Murphy:** This issue was widely spoken about on Second Stage. In the absence of a child care provision and, given it would be illegal to leave a seven year old on his or her own, this section should be deleted and the matter dealt with when such child care provision has been put in place. Members have been contacted by many people about this issue, including by some of the organisations representing lone parents. There is much concern about the inclusion of this section and the uncertainty it provides for the individuals concerned.

One could be questioned by the HSE for leaving a ten year old on his or her own, never mind a seven year old. I do not understand how the Minister can include this provision in the Bill with a view to not enforcing it until such time as child care arrangements are in place in the absence of a Government guarantee, rather than, with due respect to the Minister, her personal guarantee that this is how this is to be pursued. I believe it would be safer to delete this section from the Bill.

**Deputy Sean Fleming:** I concur with Deputy Murphy. We were told that this legislation was a year in the making between departmental officials and Attorney General's Office. As I mentioned earlier, it was only published on 3 April. We were told last week by the Minister during the Second Stage debate that it was her wish that this would not be proceeded with until she obtained a bankable commitment on the child care issue during negotiations on next year's budget.

It is not intended that this provision will come into effect in the immediate future and there is not, therefore, any reason for it to be contained in this Bill. If the Minister wishes to introduce such a provision she can do so at a later date. It is not necessary for it to be included in this Bill. There is much confusion in regard to whether the Minister is for or against it, although she appears to be in favour of it today.

Children start primary school at approximately five years of age. This provision is in effect telling parents that they should be returning to work when their child reaches first class. Who

[Deputy Sean Fleming.]

is to take care of that seven year old when he-she comes home from school? According to this provision, there will be no one parent family payment in that household. Is this a job activation measure to encourage one-parent families back into the workplace, the general principle of which we commend, but when children are much older. The relevant age in this regard, as provided for in existing legislation, is 14 years when children are well established in second level education. To introduce such a provision in respect of children who are only in first class at primary school level is to neglect children. I am shocked we are passing legislation which, if implemented, could lead to child neglect. Who is to take care of the seven year old child when he or she comes home from school, which could be at 1 p.m? The lone parent could be a father or mother, who may not be able to put in place alternative arrangements. I do not agree with this. If the Minister is determined to introduce this provision I ask that she consider introducing it next year as there is no need whatever to do so now.

The Minister, when discussing this issue as part of the overall discussions on the forthcoming budget, should discuss it on the merits of the case. She should not be, as she has done, signalling in this House that she intends to pass legislation but not implement it unless the Minister for Finance, Deputy Noonan, gives her what she wants next December. That is no way to pass legislation. It is also no way to treat lone parents or their children, who are so young they do not understand this. I suspect many lone parents do not understand it either. I ask that in the interests of fairness the Minister not go down this road. I am seeking the deletion of this section.

**Deputy Aengus Ó Snodaigh:** I, too, believe that this section should be deleted. If the Minister does not accede to its deletion, I will oppose the Bill despite that some of the measures contained in it are good and some of the amendments are progressive in terms of addressing some of the anomalies within our code. I took the time to try to be helpful to the Minister, who told us last week in this House — none of us expected it — that she would only proceed with the measures to reduce the upper age limit to seven years in the event of her obtaining a credible and bankable commitment from the Government on the delivery of such a system of child care by the time of this year's budget.

I do not think any of us expected the Minister to make the announcement that she came in here last week to make. She said:

I am undertaking tonight that I will only proceed with the measures to reduce the upper age limit to seven years in the event that I get a credible and bankable commitment [from the Government] on the delivery of such a system of child care by the time of this year's budget. If this is not forthcoming, the measure will not proceed. I will engage with my colleagues, the Minister for Children and Youth Affairs and the Minister for Education and Skills, to establish a co-ordinated, cross-departmental approach to ensure the required level of services are in place to support lone parents as their youngest child reaches the relevant age thresholds.

That was a major announcement. The problem is that it has not been followed up with an amendment to the Bill before the House which would prevent this measure from proceeding in the event of the targets she mentioned not being achieved. I appreciate she did not set those targets out in full in the House last week when she said, "I entirely agree that seven is too young for anyone to seriously contemplate any of these things without there being a system of safe, affordable and accessible child care in place, similar to what is found in the Scandinavian countries to whose systems of social protection we aspire". I do not think anyone will argue with her contention that such a model should be in place in this country. It should have been put in place and rolled out when this country had much more money than it does now. Even

at a time when we are not as flúirseach with the few bob as we were, we should be investing in our future and creating jobs in this field. As a society and as an economy, we will benefit if we ensure children are catered for fully in school. If their parents are lucky enough to be in work or in education, they should be catered for after school as well.

I tabled two or three amendments relating to this matter to try to provide for some means by which the House could have an oversight role in this regard. I proposed that the provision the Minister has included in section 4 should not proceed without it being the subject of a determination by the Joint Committee on Jobs, Social Protection and Education. I suggested that the matter should, at the very least, be the subject of a report to be submitted to the House. My preference is for the joint committee to be the determining factor as that would be more democratic and would ensure we could monitor the progress being made with the delivery and roll-out of the approach about which the Minister said she will speak to two of her colleagues. I regret that my amendments were ruled out of order. I do not mean it as a slight on the Ceann Comhairle when I say that decision was somewhat bizarre. I accept that the rules are set in a certain manner. I was told my amendments would be more suited to a reasoned objection to the Second Reading of the Bill, as they are in conflict with the principle of the Bill as read a Second Time. That decision was slightly bizarre because the specific proposal in my amendment would have given effect to what the Minister said on Second Stage.

This section of the Bill gives effect to a cut that was flagged by the Minister and her colleagues when the budget was announced last December. People had hoped the Minister would have backed down in the intervening period by agreeing to reconsider the matter. I will repeat a question that was asked some years ago about the second or third child. What the hell are lone parents guilty of doing? Why should they have to suffer the penalties the Minister is imposing on them? I refer not only to this measure but also to the attacks on other entitlements lone parents were able to access in recent times. Those supports gave them an opportunity to play as full a role as possible in society. The cumulative direct effect on lone parents of a range of decisions made in budget 2012, when taken with this additional change, will make it very difficult for such people to go back to work or access the training or education they require in order to be fully available for work. I refer, for example, to the rent supplement change, the reduction in the number of weeks for which fuel allowance is payable, the child benefit cuts, the decreases in the back to school clothing and footwear allowances, the reduction in the earnings disregard element of one-parent family payment and the decision to stop paying the qualified child increase to lone parents on community employment schemes. Indeed, these people will be affected by the changes to community employment in general, such as the cut in the training and materials grant. If a recipient of one-parent family payment is on a community employment scheme, he or she will no longer receive the reduced payment. All of those cut-backs, including the one we are discussing under section 4, constitute a combined attack. Of all the groups that depend on social welfare in our society, lone parents have been most affected by the Government's targeting of social welfare recipients in budget 2012. The Minister is responsible for those changes.

The specific details of this proposal have not been worked out properly. The vast majority of parents will not abandon their children by leaving them home alone. However, what alternative will they have after this measure is introduced? When we discussed the single working age payment, the Minister said she would proceed with one of the proposals in that regard, which involves the transfer to the single working age payment of all lone parents who are in receipt of one-parent family payment. How can a parent benefit from labour market activation in the absence of support or access to services — if they could afford them — which would cater for their children's after-school needs and requirements during the summer holidays? Those of us who have children of schoolgoing age understand how difficult it is to juggle our own work

[Deputy Aengus Ó Snodaigh.]

when the school holidays start. I am at an advantage because I have a partner. The two of us are able to juggle our own work and ensure arrangements are made during the holidays and on half days etc. In this case, we are talking about children between the ages of seven and 14. Most children aged 14 can mind themselves for an hour or two — I would not recommend it on an ongoing basis — but that is definitely not the case with seven year olds. This substantial change is being introduced without provision being made for additional supports, which the Minister has accepted are required.

As a society, we have not addressed the fact that our schools lie empty after the end of the school day. Although that element of the necessary infrastructure is in place, none of the proposed changes I have seen would ensure that enough qualified child care workers will be paid to provide services that are not merely a continuation of the school day. The homework clubs in our communities are struggling to survive. The Minister and the Government are saying they will put such supports in place, but when one looks at the existing supports one sees that many of them are struggling to survive as they are at the moment. The support services in question that are delivering child care might be best placed to examine the Minister's proposals.

From the start of this debate, I have asked the Minister to withdraw section 4 and put it on hold for one to three years until after-school clubs and other provisions that will ensure children are fully catered for can be rolled out fully. I refer not only to one-parent families but also to those who are forced to give up work because their children cannot gain access to after-school clubs, especially those on low incomes who cannot afford the huge cost of child care.

I will leave it at that because other Deputies wish to contribute. I will have further points to raise.

**Deputy Joan Collins:** I will try to deal with three areas of the Bill on foot of the arguments made by the Minister. Nobody would attempt to say lone parents do not want to work because they do. If the Minister were introducing her measure when jobs were plentiful, there might be some basis to her argument that it would be easy to get back into the workplace. However, we are in a recession. The legislation could mean that lone parents will be put onto jobseeker's benefit, on which basis they must be available for work. If they do not take up work, their jobseeker's benefit could be cut. If they are very concerned about their child and want to take up work, they will be punished. Cutting the one-parent family payment when a child reaches seven is the equivalent of introducing the wrong measure at the wrong time in the wrong place.

Everyone was stunned by the reduction from 14 to seven years. At meetings I have had with groups such as Open, Treoir, the National Women's Council, Barnardos and SPARK, and the women who have been actively involved in campaigning, I noted all were stunned that the change was proposed without any real negotiation. On foot of considerable pressure building up recently, the Minister said in the Chamber last week that seven is too young. Ages from eight to 14 are also too young. Deputy Ó Snodaigh stated that even the ages from 14 to 18 are very precarious for teenagers. The Minister would be obviously aware of this. Support is required at this time. It makes a difference having two people in the home; when there is but one person in the home, it is practically impossible to juggle every task.

Reference was made to the putting in place of Scandinavian-type child facilities, not just for children of lone parents but also for those of the population in general. We desperately need a proper child care system and facilities. Even for parents who are working, child care is not affordable. There are people who cannot gain access to it, and it is based on a private, for-profit model rather than a general community employment-related, affordable model. We are starting from very low base.

I asked the Minister today to outline the conditions that would result in sufficient child care support. All I heard in response was that the two relevant Departments would discuss the matter. The measure should be in place in six months according to the budget and the system the Minister envisages is to be rolled out within 18 months. We do not even know what is proposed. This is unbelievable.

Many organisations that have their finger on the pulse, including SPARK, whose representatives experience what I refer to every day of the week, say what is proposed is just not possible. They are stating seven is too young and want us to oppose the change. It is not just Members in the Dáil who are saying section 4 of the Bill should be opposed — Ms Francis Byrne of OPEN is also saying so. I am thrilled with OPEN's "7 is TOO YOUNG" campaign. Posters are on billboards around the city and country. Ms Byrne states:

[W]e do not believe that changes to the One Parent Family Payment should be cemented in legislation before affordable and accessible care is in place. The Minister has made it clear that there is no extra funding available for investment in restructuring childcare services in the short or medium term. We simply do not believe that radical reform of childcare services can happen in the next 18 months when the changes set out in the Social Welfare Bill would become a reality for lone parents, particularly in light of the current fiscal climate.

Ms Norah Gibbons of Barnardos states:

We absolutely support the development of such comprehensive services here [as announced by the Minister], in fact they are the kind of services all of us have called for for many years. However, we would ask the Minister to provide evidence of any country that has made the kind of transition in childcare services we are talking about in just 18 months against a backdrop of cutbacks [...].

Ms Orla O'Connor of the National Women's Council of Ireland states:

It is incomprehensible that changes that will increase child poverty should be set in stone before comprehensive reform of childcare services is underway. In the absence of a framework for restructuring the delivery of childcare and after school care services in Ireland, Section 4 of the Social Welfare Bill must be removed.

Treoir, an established organisation with which I am sure the Minister has had contact, urges us to vote against section 4 of the Bill on the grounds that it would, if enacted, mean lone parents with a child over seven would be ineligible for the one-parent family payment from 2014. The organisation claims that in the absence of vital support services, child care, training and flexible working hours, the legislation will have a disastrous effect on many one-parent families and will just not work.

These organisations have the required knowledge and background. They state we should vote against section 4 on the basis that the Minister cannot outline the kind of Scandinavian child care facility she mentioned. To cut the relevant age to seven without having a framework for proper child care facilities does not wash and will not wash with people. It certainly has not washed with the people who have been affected.

In an earlier debate, I referred to the Swedish system. In Sweden, preschool care is available to children from age one until they begin the preschool class at the age of six. There is a legally costed limit. The system is affordable to all parents and the municipal government is responsible for providing preschool care, normally within three to four months after parents have submitted their requests. Preschools can be publicly or privately run. In most cases, this allows parents to return to full-time work as soon as their parental leave is finished. Children in

[Deputy Joan Collins.]

Sweden begin preschool at different ages and attend for different amounts of time per week. The system is open all year round. There is a preschool transition year at age 6. The municipality is required to offer places in preschool classes to children from the autumn of the year in which they turn six. A preschool class covers at least 525 hours per year and is provided free of charge, and it includes meals. This system of preschool, school and after-school provision was built up over many years of radical change. What the Minister proposes is just not feasible and she should be honest about it. She should not try to imply a Scandinavian system will be in place.

Many parents made the point to us that it is not just a question of preschool, school or after-school care as it is also a question of getting one's children to school at 8.45 a.m. and collecting them at 2.30 p.m. One may not have anybody else to do so. Deputy Ó Snodaigh stated a family with two parents can juggle collection duties. It is a question of jobs.

I will oppose the Bill if section 4 remains therein. Even at this point, the Minister should consider leaving the relevant age at 14, rather than seven, pending the changes she seems confident will be implemented in the next year and a half. When they are implemented, we can consider the relevant issues.

**Deputy Seamus Healy:** I, too, ask the Minister to delete this section. I see it as an example of what I described last night as the dismantling of social welfare benefits. These benefits have been won by generations of workers and their unions and this is an example of that targeting. This particular group — single parents — have been targeted not only in this Bill, but in the various proposals outlined in budget 2012.

If one talks to anybody involved in the area of child care and poverty and to organisations, such as Barnardos, one will find that a significant portion of the families which are in most danger of being in poverty or of falling into poverty are single parent families. The figures on relative poverty and consistent poverty show that the one parent family comprises a very high percentage of those figures. What is proposed here and what was introduced in budget 2012 will further increase pressures on families such as these and will further drive them into poverty.

Budget 2012 changed the means test not only for one year, but for a significant number of years. This year, one can earn €130 which is disregarded. That is down from €146 last year. In 2013, one will only be able to earn €110, in 2014, €90, in 2015, €75 and in 2016, €60. It will be a significant cut in income to single parent families over those years. Other items in that budget included significant cuts to community employment schemes which have been referred to already. They will effectively drive single parents out of community employment schemes which is what we do not want to happen. We want to ensure single parents, in so far as they can, become involved in the community and in work, if at all possible.

Everybody involved in this area has been shocked by the reduction in the age from 14 to seven. Whether we agree with the age of 14 is another matter but reducing it to seven is simply unacceptable. I have not come across any organisation or individual involved in this area who believes this is appropriate. Many people believe seven is simply too young and that it is dangerous. As other speakers said, for a child of seven to be left alone for any period of time would be regarded as neglect by the child services section of the HSE. The Minister said last week it would not be implemented unless a proper system of child care was in place. Even if we accept the Minister's bona fides in that regard, she may not be the Minister next week, next year or in 2014. Obviously, it may not be possible to stand by any verbal commitment she might give here in the future.

Nobody believes a proper system of affordable and accessible child care can be put in place by 2014. I know from my experience of being involved in the provision of community child

care facilities in my constituency that the funding difficulties over the past number of years have not helped the provision of child care. In the current circumstances, I find it very difficult to accept that a proper system of affordable child care will be available and not only for after school. What about Christmas, Easter and summer holidays? It is not just a question of putting after school clubs in place. What is required is a fully fledged child care system which is available throughout the year and not just for particular times of the day, whether children are at school or otherwise. The age of seven is certainly too young. Nobody accepts that the level of child care necessary can be put in place in the time scale involved.

There are other issues such as training and flexible working hours. The issue of dropping children to school and collecting them has been raised. Single parents tend to work every day for a number of hours rather than for a full day. If they claim jobseeker's allowance, they will find that even one hour's work per day will rule them out for jobseeker's allowance for that day. Many single parents work from 9.30 a.m. to 12.30 p.m. or 1.30 p.m. In the new situation, they will find that will rule them out for jobseeker's allowance for the rest of the day. There is a significant reduction in income for single parents in that scenario.

This section should be deleted. It is ill thought out and it targets one of the most vulnerable sections in our society which, as I already said, comprises a large percentage of the statistics on poverty in this country.

**Deputy Richard Boyd Barrett:** Many of the points have been made but like other Deputies, I believe the Minister should delete this section. When one looks at the combination of measures in the budget which were directed at lone parents, one would have to conclude that, in a quite malicious way, lone parents were attacked with the deliberate intention of driving them out of the workforce or that these measures were based on complete and utter ignorance of the nature of lone parents and people in receipt of lone parents' payments.

From the point of view of a Government which is cutting everywhere, I can see an austerity rationale behind both explanations. One is that we will drive lone parents out of work because we want to free up certain types of employment to get people off the live register and the various other schemes we are cooking up to ensure the figures for long-term unemployment are kept down. That is one possibility. It would not surprise me. For example, community employment, CE, schemes became good projects and communities made them their own. When they were first introduced, however, there was justified suspicion that they were meant to massage the long-term unemployment figures.

If these measures were not introduced to drive lone parents out of the workplace, they were introduced through ignorance of the real character of lone parents. I suspect this may have been the case. To justify the lowering of the age threshold, the Minister and its other defenders state that the current system has not managed to lift lone parents out of poverty and that a disproportionate number of them live in or are affected by poverty. The implication is that, given the fact that lone parents are not working, they need to be incentivised to work. The key point is that 60% of them are working and they do not need to be incentivised by reducing their payments.

The Government was guilty of having the same stereotypes of lone parents that had persisted for a long time, that is, people are sort of welfare queens sucking off the social welfare system and they must be driven off their dependency on social welfare and forced to work. The Bill's provisions will have the opposite effect. The campaigning of the lone parent organisations established in recent months and of groups such as SPARK, One Family and Treoir, which have shoved the reality of the experience and character of lone parents in the Government's face, forced the Government to acknowledge last week that it got this matter wrong and that implementing the cuts contained in this Bill without having the necessary child care system in

[Deputy Richard Boyd Barrett.]

place would be detrimental and drive lone parents out of work. We need a Scandinavian model of child care if the Bill is not to drive lone parents out of work.

Having made this acknowledgement, the logical next step is to delete this section. One cannot make this cut on the basis of promises of pie in the sky. Virtually everyone in Irish society, including myself, would love to see a Scandinavian model of child care being in place by the end of this year. I differ from some of those who claim it would not be possible, in that I believe it would be possible were there a real will and determination to make it happen. However, significant resources would be required. This defies credibility, given the fact that this idea is coming from a Government that is slashing, burning and cutting left, right and centre and is committed to considerable further budget cuts in the next two years under the EU-IMF austerity programme. If we pass the fiscal treaty, we will be required to make even more severe budget cuts in subsequent years. From where will the Government get the money and resources to put in place a Scandinavian child care model? The Minister and I would like to see such a model. Ireland did not put it in place when the Celtic tiger was in full swing, yet the Minister is telling the House that she will have it in place within six months at a time when austerity butchery is cutting everything. The Minister does not honestly believe it will be done.

I hope a trick is not being played on people and that this is not a case of the Government agreeing to do something and acknowledging the problem under pressure, yet implementing the cuts as planned in the hope that people will have forgotten by December its promise about putting in place a Scandinavian child care model. We will not forget. Since the Government entered into office, that we are committed to having such a model by December is the one good development of which I have heard. It will be brilliant and neither I nor parents can wait. However, there is no justification for making this cut without that model being in place, as doing so will immediately drive people out of work.

If a person's relationship breaks down next week and he or she has a 12 year old child, he or she will not be entitled to receive lone parent's allowance. The Minister acknowledged this last week. If that person has or is considering getting a part-time job, he or she will become disadvantaged and will be encouraged to return to full dependency on social welfare, given the lack of adequate, affordable or even free — it should be free, since it is free in Sweden — child care. Other people will be affected as the various phases of these cuts kick in during the coming year as envisaged in Bill.

Given the logic of the Minister's comments in the Dáil last week, section 4 should be deleted and should only be re-inserted after the enthusiastically awaited Scandinavian model of child care is in place in December. Goodness me, we might even support her implementation of some of these measures at that point, but there is no justification or logic for implementing them prior to that time. On their own, they can have no other effect but to drive lone parents out of the workforce and into full dependency on social welfare.

**Deputy Joan Burton:** I thank Deputies for their extremely interesting contributions. Deputies Joan Collins and Boyd Barrett correctly praised the Scandinavian model. Deputy Joan Collins referred to municipal government. To remind Deputy Boyd Barrett and others, municipal government in Scandinavia is based on a certain provision of municipal taxation. For the last year Deputies Boyd Barrett and Joan Collins, along with other Deputies, have mounted a vigorous campaign against any kind of Scandinavian style taxation, where everybody would contribute a moderate and fair amount of tax. Deputy Boyd Barrett and others like him appear to be opposed to people paying tax. Mythical people will pay tax but that is a kind of fairy story.

I am delighted that he is so taken with Scandinavia. Deputy Joan Collins referred to Scandinavia's municipal structures, which rely on contributions to local taxation. They should examine

reform in a holistic way. Scandinavia is characterised by a strong social welfare system based on fair municipal and income taxes. The Deputies opposite have spent most of their time opposing the principle of municipal taxation.

**Deputy Richard Boyd Barrett:** Not flat taxes.

**Deputy Joan Burton:** I have seen Deputy Boyd Barrett on the plinth and in demonstrations. He is basically opposed to any kind of taxation. His colleague in my constituency of Dublin West has spent the past 20 years opposing every form of municipal taxation, even in respect of people who have large houses and several vehicles in the driveway. I am glad to hear that certain countries provide social infrastructures which the Deputy admires because I did not think his political philosophy allowed him to cite anything positive. Good services rely on people contributing on a fair basis through a range of taxes.

**Deputy Joan Collins:** Yes, fair basis.

**Deputy Joan Burton:** In Germany, Italy, Sweden and Norway there is a work obligation when the youngest child reaches the age of three. In Finland the work obligation starts when the youngest child reaches the age of four. In the Netherlands, Australia and New Zealand the age is five, in Canada it is six and in Northern Ireland, just across the Border, it is seven. Many of us in this House would admire elements of the social protection systems in place in these countries.

I have not heard an explanation from the Deputies opposite for their stance. I heard references to slash and burn but we are spending more than €20 billion on social protection. People who work contribute the taxes and PRSI that allow this money to be spent. Approximately 40% of all government expenditure is on social protection.

**Deputy Joan Collins:** That is because of high unemployment rates.

**Deputy Joan Burton:** I am trying to respond seriously to the Deputies' praise for Scandinavia. We are spending a huge amount of money on social protection. I have defended that expenditure because in a time of recession it is an important stimulus along the lines of Keynesian economics. I realise that Deputy Boyd Barrett is not a follower of Keynesian economics. He probably rejects it out of hand because he follows Trotskyite economics. The people of this country are willing to contribute €20 billion in taxes and PRSI to provide a good system that protects them when they become unemployed or retire and when their children are young. This expenditure is considerable by international standards. I hope the Deputy recognises the contributions our taxpayers and workers make to maintain this system.

Why is Ireland an outlier in creating opportunities for those who are parenting on their own to become financially independent? The Deputies opposite say they share that goal. Even though we are spending more than €1 billion directly on lone parent supports it is not having the desired outcome in terms of helping lone parents and their children to exit poverty. Despite spending all this money we continue to have a higher proportion of children in poverty than most other countries. I ask the Deputies for positive suggestions on how we can continue to commit €20 billion in social welfare while achieving better outcomes.

Throughout my life in politics I have worked with lone parents and I have been involved in community development in a detailed way. I have several friends with grown children who parented alone over a long period of time and who now believe they should have been able to go to school or training when they younger in order to achieve better employment over the long term.

[Deputy Joan Burton.]

I am sure the Deputies opposite know heroic parents who raised their children on their own. They did outstanding work in bringing up their children and parents in two-parent families did the same. I do not like the way many of the speakers in this debate put lone parents and, more importantly, their children into a separate category. I never heard the term that Deputy Boyd Barrett used in regard to lone parents and I will not repeat it because it is derogatory. It may be a southside Dublin term but I have never heard it on the northside or the westside. He should withdraw it.

**Deputy Richard Boyd Barrett:** What did I say?

**Deputy Joan Burton:** I am not repeating it because I do not believe it should be repeated. He can read the Official Report to see what I mean. I have never heard it before. It may be a south Dublin DART expression but it is not an expression I have heard used on the north side.

In 2011, people with children under the age of 18 were eligible for lone parent payments. This will continue to apply in 2012 and 2013 when the age limit will move to 16 in 2014 and seven in 2015 and 2016 for those who have been parenting alone. That is for the age of the youngest child of a lone parent and because obviously a lone parent might have a number of children.

For people who became lone parent customers between April 2011 and May 2012, the child age limit of 14 applies for 2011 and 2012. It then moves to 12 in 2013; ten in 2014; and seven in 2015 and 2016. For people who become lone parent customers after 3 May 2012, the child age limit is 12 in 2012; ten in 2013; and seven in 2014. I appreciate that many Deputies may not have had time to read the regulations, but that is what they are.

In last year's legislation I made special provision for lone parents who are in receipt of the domiciliary care allowance or are recently bereaved. For people on domiciliary care allowance, the one-parent family payment remains in place while the domiciliary care allowance is payable for the child currently up to the age of 16, at which point the child currently can claim for disability allowance. I would prefer if the disability payment went to the parent until the child reaches majority at 18. For those who are recently bereaved the one-parent family payment will be payable for two years from the date of death of the spouse, partner or cohabitant, or until the youngest child reaches the age of 18. These are arrangements put in place last year. I have been talking about this since I became Minister because I believe — I welcome that a number of Deputies supported the idea — we should move towards helping lone parents become financially independent on a phased basis over a period of time. I appreciate that not everybody might have read the detail.

To encourage participation in education and employment, existing one-parent family payment recipients, who leave the one-parent family scheme during the phasing out period up to January 2015 in order to participate in the back to education allowance scheme or whose earnings exceed the qualifying earnings limit for the scheme, are allowed to apply for the one-parent family payment based on the age conditions within the saver period.

This is not a revenue-saving measure but a structural change to assist people to become financially independent rather than remain passively dependent on social welfare over a long period of time. Tomorrow I will launch another study completed by the ESRI and having got a copy about two weeks ago, I have had the opportunity to read it in great detail. Eminent researchers in Ireland — the kinds of people the Deputy was quoting earlier — state that the outcomes do not reflect the honest hopes and expectations that lone parents have for themselves or their children. It is incumbent on us to support that.

The average numbers of weekly recipients affected are estimated as follows: 170 people in 2012; 765 people in 2013; 2,210 people in 2014; 4,510 people in 2015; and 11,000 people in a full year.

**Deputy Richard Boyd Barrett:** That is under the existing scheme.

**Deputy Joan Burton:** I ask the Deputy to let me finish. He may or may not know that there are 92,000 recipients of one-parent family payment. Over a long period of time this will affect a small number of people in order to improve the outcomes. I do not doubt his good wishes for lone parents, but if we are to have an honest discussion we need to recognise that all the research has shown that the outcomes in Ireland are not as good as they ought to be for the kind of money being spent.

Why has Sinn Féin not had any difficulty with the age limit of seven that applies 80 or 90 miles north of here? The various payments for children and social welfare recipients generally are far smaller there than they are in the South. I know a number of Deputy Ó Snodaigh's colleagues in the North and I know they are extremely concerned for the welfare of children and parents.

We need to consider parents and children. There are many people in relationships where both parents are either on social welfare or in very low-paid work. When they are in low-paid work they are contributing. To return to what I said earlier, we need to get away from saying that we have parents and we have children, and then we have lone parents and the children of lone parents. There is a need to say we have parents and children, and we want to set a structure that allows parents to give their children the best life possible — whether that is one parent, parenting on his or her own, or whether it is two parents either in a marriage or cohabiting. The personal relationships that people have should not be the business of the State. We should be here to build a civilised system that supports parents and supports children. In this debate we need to be thinking about the future and we need to think about the outcomes for children. From some of the language used here children appear to be put in a particular category that does not recognise that intelligence, ability and ambition are evenly distributed throughout the population. It is not necessarily dependent on the particular relationship status of a child's parent. We should not set those kinds of limits in the kind of language used in the debate.

I would like the Deputies to outline why they are so fearful about changes for good outcomes being introduced very slowly given that 92,000 people are parenting on their own and over a period from now to 2016 a maximum of 11,000 people will be affected. This year, based on what is happening in many of the countries I have referenced, we have created the Pathways to Work with the emphasis on providing for people who are out of work regardless of their relationship status opportunities to go back to education or training, start their own business and ultimately to become financially independent. The Pathways to Work, which I launched some months ago and which is being rolled out this year, will take a case-management approach,

That will be the case from this year on. By the time the changes come into force, the changes in the Department will be largely up and running. I know that in case management in the other countries to which I referred, one of the things that must be taken into account is the particular family circumstances of an individual. That is the purpose of case management. Some of the Deputies have perhaps forgotten that the Department of Social Protection is changing. From being simply a social welfare Department that checks and pays out entitlements and benefits to a total of €20 billion — which is a lot of money — it is becoming a Department that is fully integrated, so that when somebody comes in to collect a benefit, regardless of his or her

[Deputy Joan Burton.]

relationship status, he or she will be in an integrated system. He or she will be encouraged to seek work, education or training, and of course his or her family circumstances will be taken into account, as is the case in other countries I mentioned. I have been working with my colleague, the Minister for Children and Youth Affairs, in this regard. The Government set up the Department of Children and Youth Affairs as a full Department for the first time ever in the history of the State. That is a progressive development because, regardless of our political differences, we are all in favour of doing the best for our children and ensuring they have good outcomes. The establishment of the Department of Children and Youth Affairs and the appointment of my colleague, Deputy Fitzgerald, as Minister allows for a focus that was not possible previously, as some Deputies have said. It is a big job, but Irish people can do most things, and I think we can do this. We can change the landscape and make progress. I recommend the changes to the Deputies.

**Deputy Sean Fleming:** I have been listening to the Minister for a while now, and there is one thing I must say: she almost got away with it. A major sleight of hand has taken place in the Dáil this evening with regard to a provision that 99.9% of the population do not understand. Last week in her Second Stage speech, the Minister highlighted the fact that she believed the age of seven was unsuitable as a cut-off point for one-parent family payments. I and most others involved in the debate have been concentrating on this issue. The Minister said she did not want to change the system of one-parent family payments for seven year olds unless she gets a bankable solution in the budget next year. All the debate, to my knowledge, has been on that subject. However, what is really happening here is the introduction of draconian emergency legislation which will have legal effect on Thursday of next week. This has been overlooked by most people; the Minister just about put it on the record herself when she was speaking. It is important that people are conscious of what is being discussed under this section, because most people have not dealt with the harsh reality of what is to happen. What the Minister is saying is that from next Thursday, 3 May, anybody applying for a one-parent family payment in respect of a child of 12 years or over will not receive it, and in seven months' time, on 1 January, a person applying for a one-parent family payment in respect of a child over 10 years of age will not receive it. The seven-year cut-off then kicks in on 2 January 2014, which is another year down the road. However, I want to concentrate on what is to happen next week and the following week. I ask the Minister to address this issue.

I will give a scenario that will bring this into sharp focus. There are people out there who are happily married, cohabiting or in civil partnerships and raising children of 12 or 13 years of age. In those families, if one parent dies next Thursday or any day after that, the surviving parent will not be entitled to one-parent family payment in respect of a 12 year old child. Up to now, he or she would still receive the payment if the child was 13, but we are passing a Bill to change this. Actually, we are not passing it; the Minister is passing it and we will vote against it. Legislation that is being guillotined in this Chamber today and tomorrow provides that if a parent dies after next Thursday and the youngest child is over 12 years of age, the surviving parent will not receive one-parent family payment. That is my understanding of what is contained in the Bill. The Minister made it clear in her statement, based on her briefing notes, that the relevant age will be 12 years. The relevant amendment refers to a child who is over 12 years in respect of any claim for one-parent family payment relating to any day during the period beginning 3 May 2012 and ending at the end of 2013. This new provision kicks in next week.

The Minister pulled a con-job with the numbers today; I will come to that in a moment. She said that those who have been in receipt of this category of payment up to now are receiving payment for children up to 18 years of age, and that this cut-off point will gradually reduce to

seven years of age by 2015. Those who are in receipt of payments only for the last 12 months will be cut on 1 January next year in respect of any child over 12. The year after that, payments will be cut in respect of any child over ten, and the following year they will be cut in respect of any child over seven. However, new applicants — that is, applicants after 3 May, which is next week — whose youngest child is over 12 will not receive this payment, and from 1 January next year this will apply to children over ten years. Up to now, all the public focus has been on the cut-off point of seven years which will apply from 2014. I even asked the Minister whether it was necessary to pass this section now, since the provision is not coming into force until 2014, and asked her to take it out of the Bill.

We received the 23 pages of amendments to the Bill for the first time this morning. I thank the officials in the Bills Office for getting them out to us; it is not their fault this is rushed legislation. It is similar to emergency legislation. I do not think the public realise that the new provisions are kicking in next Thursday, 3 May.

The Minister said this provision was not really intended to save money; it was a measure to allow lone parents to become financially independent. She is going to cut their payments to make them financially independent. Where is the logic in this? If one is in receipt of a payment for a long period, one is dependent on the State, yet the Minister intends make these people financially independent by cutting their payments. If she extended that logic to people on long-term jobseeker's allowance, she would try to increase their financial independence by abolishing their payments. Everybody wants to be financially independent, but there will always be a certain number of people for whom this is not possible for one reason or another. I reject this logic.

The Minister engaged in some sleight of hand with the figures before she left the Chamber. It is only half the equation; what she said was true, but not the whole truth. That is important. She said that only 155 people would be affected this year, 765 next year, 2,000 the following year and 2,400 the year after that, and that by 2015 or 2016 only about 11,000 out of 92,000 currently in receipt of payments would be affected. That is nonsense because it considers only one aspect of the impact of these changes. One does not need to be a genius to work this out — in fact, a child of seven would be able to work it out. If there are 92,000 people in receipt of this payment in respect of children who are over 14 years of age, and the cut-off point is changing to seven years of age over the next couple of years, one is halving the number of people who will be eligible for the scheme. Payments to 46,000 families will be affected by these changes within a few months, when we hit the seven-year cut-off. The Minister gave figures today for those who are currently either in the system or entering it and those who will be affected by the annual reduction in the coming three or four years. They are only half-true. The real truth about this change is that from next Wednesday the Minister will prevent new people who would have been entitled to be on the scheme from entering it. That is where the real cut will be, for those who had an expectation, whose children are more than 12 years of age. If, God forbid, the parents were to split up or if one of them died next Wednesday, there is an expectation today that as lone parents they would be able to get the one-parent family allowance. That will not be the case after next Thursday. Over a very short period, if the age group is halved, the number of people in receipt of this payment will also be halved and 46,000 people will be affected by the change in the coming years as new people are no longer entered into the system. They will leave at one end because they are getting older but the Minister will also stop very many people aged more than 12 years from getting into the system. Her figures are correct but they are only part of the picture and it is important that it be corrected.

I want the Minister to explain to us why she is proceeding with this change. The main debate before lunch was about commencement dates. Here we are considering a commencement date from next Thursday. One of the items the Minister has put into the record is the chart in the

[Deputy Sean Fleming.]

briefing note we received. The concentration has been on the people who are already in the system where the figures will take some years to work down. For those who are entering the system after 3 May, things will operate at a much lower level in respect of children aged over 12 years. From 1 January next a lone parent whose youngest child is more than ten years of age will not be eligible for this payment. We are moving from one situation today to another next Tuesday. If a lone parent makes a new claim that claim will be allowed only if the youngest child in a house is under 14 years of age. In one step that is being cut and from next Thursday the parent will get the payment only if the child is aged under 12. In seven months time that age limit will be cut to ten years. In a period of seven months, therefore, we are cutting out all new applicants for the one-parent family payment where the youngest child in the house is aged between ten and 14 years. That is a massive chunk of people to cut from any system. We spoke about transition and moving on when the children were aged seven, but we are cutting all these children out.

We can consider some of the changes that happened in previous budgets. Those aged under 18 qualified until 2011. In 2013 the limit will be cut to those aged under 17 and in 2014 only under-16s will get the allowance. In 2015 it will be confined to children aged under seven. There is a transition period of four years to bring the age from 18 to seven years but we are to have a transition period of seven months to bring in a cut, changing a limit where the youngest child is 14 to one where the youngest child is ten years of age. That will apply from the beginning of next January.

For that reason, in addition to the subsequent debate we can have on the Scandinavian child care measure and whether it can be introduced, the debate here is about the draconian emergency measures that are being guillotined through the Chambers of the Dáil and the Seanad this week in order that they can come into legal effect next Thursday. It is an outright disgrace. A Minister of the Labour Party should be ashamed of herself.

I accept that many Members generally support such an issue, such as the Minister of State opposite, Deputy Shane McEntee. They probably believe this needs to be done and people should not be getting all these payments. I do not believe that is the view of the majority of people who voted for the Labour Party. Its members will rue the day they made these changes.

**Deputy Shane McEntee:** If we had the money we would not be doing this.

**Deputy Joan Collins:** I will not repeat the points already made about the cuts facing us next week being brought into immediate effect. I will refer to some points the Minister raised. We are discussing child care facilities for couples who are married, cohabiting, lone parents and their children — it is all encompassing. As a society we must admit we have not delivered for anybody on child care. Child care is run privately for profit. It is not progressive in any way or for anybody but particularly not for the lone parents who are facing the cut-off point of seven years in two years time. There is nothing in place for them.

I mentioned Scandinavian child care and after-school care facilities because the Minister raised that issue last week. I did not raise it. When I spoke it was not in admiration. I stated the obvious and the facts because I went looking for and found the information on that model. I asked if that was the model on which the Minister will base hers. She did not answer the question which seems to be the order of the day in this Chamber for Ministers. Is that the type of child care facility the Minister will introduce? She stated last week it was what she wanted and she would not introduce this legislation unless the measure is agreed by budget day and introduced within 18 months. Again, there was no clear answer in any shape or form.

It is sleight of hand by the Minister to turn on the Opposition and claim that if we were in power we would not be in favour of taxation. We are for taxation. It should be noted it is the other side of the House which is not bringing in progressive taxation. Rather it is ensuring there will not be more tax on income only stealth taxes. The Government is telling the wealthy in this country it will let them off the hook for the next few years and will not go after them. In the meantime it will bring in stealth taxes of several thousand euro that will hit people, most of all lone parents. It is couch money for the very wealthy in this country and again they are not being hit with income tax. It is outrageous for the Minister to try to pose the issue in that way.

I will leave it at that. I only wanted to make those few points about the assertion that we supported this model. I hope the Minister will take this on board as she returns. She probably did not hear the points I made, which is unfortunate. I realise she probably had to leave the Chamber. It was important to make those points.

**Deputy Aengus Ó Snodaigh:** Earlier, the Minister remarked this was not a cost-cutting measure. If it is not, will she tell that to the Minister of State, Deputy McEntee, who is sitting next to her? His contribution was, "If we had the money we would not be doing this".

If one looks at what is being proposed, the vast majority of people have not come out against what the Minister is doing. There is a big if, however, that she recognised last week. We say, "Yes," to it as long as the Minister has the activation measures and supports in place, not only for lone parents but for low-paid families and those dependent on social welfare, offering the after-school clubs, the summer holiday schemes that allow those families who are lucky enough to be in part-time or full-time employment to continue. In this case, the Minister is changing something concerning which her own party was very critical of the Fianna Fáil Government when it introduced a change from 18 years to 14 years. I will return to some of the comments in regard to that.

These are the very people the Minister should encourage, women in the main, but also some men, who are parenting alone and who are in work. She does not have the figures although figures were bandied about. The Department estimates that 46% of lone parents who are in receipt of the one-parent allowance are engaged in some form of paid employment.

The figure could be as high as 60%. When I asked the Department about the people receiving the payment and the number of hours they work every week, the answer I received was: "Information concerning the working patterns of recipients of One-Parent Family Payment is not collated by my Department." It is understandable but the logic in this case is that lone parents are the ones balancing work and family hours. By virtue of this measure, the Minister gives them a Hobson's choice of leaving their children home alone or leaving their jobs to care for their children. There is no other choice. The Scandinavian model the Minister mentioned is not in place and is unlikely to be in place by December. I would love to believe it could be and perhaps a timetable for its delivery could be in place by December. The problem is that what the Minister and the Tánaiste, who I will try to cite accurately in case someone says I am misquoting him, said was that the changes would be coupled with the roll-out of the Scandinavian model. If they are to be coupled, the two should be tied in legislation. We know about laudable policy statements but unless they are specifically laid out in legislation, similar to what I proposed in the amendments ruled out of order, I do not believe it and I do not trust it will be delivered in the near future or in the long term.

The Minister referred to the situation in the North. I never stood here and said that what happened in the Six Counties is ideal. It is not ideal, due to British occupation and because this State has never been a persuader for the transfer of fiscal powers. Even during the negotiation of the Good Friday Agreement, the Government did not weigh in behind the Sinn Féin

[Deputy Aengus Ó Snodaigh.]

demand to transfer all powers to the Northern Ireland Assembly. It is easy to throw that accusation at Sinn Féin.

The Minister also said that Sinn Féin is working on the ground. It is good that Labour Party Ministers and members are taking such an interest in the Six Counties. For many years, they ignored it. We are working to ensure our demands in this Chamber will be also rolled out when we have fiscal powers and control of the financial purse so that the Irish people, North and South, can determine the type of society to build. Hopefully the new-found interest of the Labour Party and of the Government generally in the Six Counties will lead to the Government supporting the Sinn Féin demand for the full transfer of fiscal powers next time Ministers meet their counterparts in Westminster. In this way, taxes can be levied and the full responsibility for what is raised and spent will lie with Irish people. We can then move towards harmonising everything on this island and towards uniting Ireland in full.

I pay tribute to groups such as SPARK, OPEN, One Family, Barnardo's, St. Vincent de Paul, the National Women's Council of Ireland and Treoir that managed to pull together the measures intended here. These groups fully understand the consequences of the Minister's proposal. The Minister referred to value for money, how these changes are improving outcomes and suggested the outcomes are not as good as the money spent. I am not afraid of change or of advocating change but the Minister should be careful that she protects the most vulnerable when she is making changes. I am not talking only about lone parents but also young people who will suffer the consequences. Young people are our future. We should be also concerned about their parents and their ability to access work. If we restrict the ability of people to return to education or to avail of part-time work, it will be difficult. The reason the major spend on lone parents is not having the desired effect of helping lone parents to exit poverty is that the other supports required, such as education, child care and activation measures, are not in place. Some of them, such as the transition to work payment for lone parents, have been taken away by the Minister in budget 2012. I am concerned the arguments are not fully representing the case of lone parents.

I will remind the Minister of her party's position a few weeks' ago at the Labour Party conference. The conference noted "the negative impact that budget 2011 [it should be 2012] had on lone parents and in particular recognises that the cuts in CE schemes impacted significantly on lone parents". Reference was made to developing a system of mutual obligation similar to that of the Nordic countries, where parents are obliged to look for work — which is the single working age payment — and in return "governments are obliged to provide employment and childcare support". We are not able to deliver that and I cannot see the Minister delivering that at the same time and on the same scale as she introduces these measures. Will the Minister live up to the obligation of her party to provide child care and employment supports by January of next year? She will not.

The document also refers to devising a focused and targeted scheme providing high-quality affordable child care for lone parent families. This does not exist and these aspects represent two major challenges for the Minister from her party. When Deputy Éamon Ó Cuív was Minister in the Fianna Fáil-led Government and made the change from 18 years of age, or 22 years in exceptional circumstances relating to education, to 14 years of age, Deputy Róisín Shortall, the spokesperson at the time, reminded the House of the following:

Lowering the qualifying age was meant to go hand-in-hand with better child care and training services, the introduction of a parental allowance to replace the one-parent family payment and the ending of the ban on cohabitation. Where are these reforms? There is no sign of them in this Bill.

Nor is there any sign of them in this Bill. Using the yardstick provided by the Minister's colleague, this Bill is an absolute failure.

Deputy Shortall also referred to the reduction from 18 years to 14 years, which did not have the dangerous consequences this change will have. She stated:

The likelihood is that all that will happen is that an extra 12,000 lone parents will transfer to jobseeker payments over the next six years. This will inflate the live register figures by another 12,000 as people on one-parent family payments are not counted at the current time. It is hard to know what the point of all that will be.

This was one of the concerns in the single working age payment report to which I have referred on a number of occasions. If we convert all of the social welfare recipients to jobseeker's benefit, all we do is inflate the numbers on the live register, without putting in place additional supports.

I am aware of the pathways to work and NEAP programmes and I have welcomed these positive changes. However, the pathways programme is not set up yet and some of the changes are likely not to be fully implemented for a number of years. If the Minister continues to undermine community employment, the activation measures may be said not to exist, because part of activation is to try to ensure people who take part in the likes of CE come out the other end with enhanced qualifications and job prospects. It beggars belief that there may not be money available to spend on that training.

I will refer to what Deputy Shortall said previously and I encourage the Minister to look back at what some other Deputies said in their contributions on Committee Stage of the Bill presented by the previous Government and at how vehemently opposed to the change her party was at the time. Fianna Fáil did not promise this as anything other than a cost-saving measure, but at the time Deputy Shortall stated:

The problem is that the Bill is not about activation. It is about cut-backs and the optics of doing something about long-term welfare recipients. How can one call it activation when in the first instance there are so few jobs of any description available? That is the big issue; the jobs are not there.

The jobs are still not there and all we need do is look at the figures to know this. The rate of unemployment compared to job vacancies in Germany is 6:1 while here it is 50:1.

I do not buy the Minister's arguments with regard to this change. Time is running out to make amendments because she has set a timetable for this to start next week. The only logical outcome of what she said last week is a withdrawal of this section, until such time as the Minister for Children and Youth Affairs or the Minister for Education comes in with a separate Bill that will provide for after school care or enhanced supports for children after school and during holiday periods. If this were in place, we could say yes to that trade-off. We could say that if we do this, we will get this other benefit. The roll-out of that type of child care would not be a benefit just to lone parents but would benefit many low paid workers and society in general.

I said earlier I would cite the Tánaiste correctly. He stated: "I repeat that there is a change — it is being done gradually — to the payment of lone parent allowance. It will be coupled with the provision of child care." Coupled means linked and the term implies a physical link, but there is no physical link between what Deputy Burton proposes and child care. There are no legislative links between her proposal and care. The ideal exists, but it is tied into the Minister's Bill and that is the main flaw with regard to her proposal in this regard. I do not know whether the Minister saw the article on cuts affecting lone parents in areas like Donegal.

[Deputy Aengus Ó Snodaigh.]

The Donegal child care manager, when speaking about the Minister's plans to have in place affordable child care — similar to that in Scandinavian countries — when cuts are made, said it may come as a shock to know how far Ireland must go to achieve the same standard. That is not a shock to all of us as we know how disastrous child care provision is in Ireland, especially with regard to after school care for children in primary school and younger secondary school students. The Donegal manager said that the Donegal county child care census revealed that there were 570 after school places in Donegal. She said that child care costs in Ireland were among the highest in Europe and that families spend an average of 29% of total income on child care costs. She pointed out that the Swedish system instituted a maximum fee in 2002 which means that no more than 3% of the parents' income goes on child care. There is a huge difference between Sweden and here, but I do not know whether the Minister has talked to the Minister for Finance about her plans to roll out the Scandinavian model.

The figures are stark, but hopefully the Minister will take them on board and will consider, between today and tomorrow, introducing a Report Stage amendment which will have the effect of a sunset clause and indicate that we know this change will collapse unless the Houses of the Oireachtas, through the committee system or some other vehicle will ensure sight and agreement of the roll-out of proper child care facilities to address the change being made by the Minister.

**Deputy Seamus Healy:** I regard the contribution made by the Minister earlier as a smoke-screen for what is a serious assault on the incomes of lone parents. It is clear that the package introduced in budget 2012 plus these proposals are a serious assault on the incomes of lone parents. She said she wants lone parents to become financially independent and removed from the poverty trap. It is absurd and ridiculous to suggest that by reducing the incomes of lone parents — which is what will happen under these proposals — they will become more financially independent and will be less likely to be poor. This is ridiculous. The Minister is also dishonest in her statement relating to taxation.

We oppose what the Government is doing with regard to taxation. It is specifically targeting middle and low income families through stealth taxes and ensuring these families pay in excess of their fair share while the super rich get off scot free. The CSO released two pertinent pieces of information recently that indicated the income and wealth of 90% of the population of this country had been reduced in the past number of years, but that the income and wealth of the top 10% had increased in the past number of years. In November of last year, a CSO report showed that the wealthiest 5% of people in this country had increased their assets by €46.5 billion in 2009 and 2010. Those people do not pay one ha'penny in wealth tax or in assets taxes. Low and middle income families are bearing the brunt of taxation from this Government to ensure that people who are super-wealthy do not pay their fair share. Ordinary people are carrying these people on their backs and they are doing it because this Government is imposing the taxes on them while allowing people to get off scot free.

**Deputy Richard Boyd Barrett:** The Minister was being very disingenuous in her responses to the points raised by some of us on this side of the House. I was scratching my head trying to work out what was this terrible phrase that had been used with the very dishonest implication on the Minister's part that somehow I was using this terrible term and I could not quite figure out what it was. What I was referring to was a term that was very frequently used to stigmatise lone parents and I was pointing out that lone parents were stigmatised——

**Deputy Joan Burton:** I never heard the term before. It may be used in Killiney but I have never heard it on the north side of Dublin and I object to it. I think the Deputy should withdraw it and apologise to the lone parents. He should not bring it in here as a reference.

**Deputy Richard Boyd Barrett:** The Minister might as well dream here as in bed if she thinks I will apologise to her. She must be joking. She should apologise——

**Deputy Joan Burton:** You brought this in here.

**Deputy Richard Boyd Barrett:** That was a term——

**Acting Chairman (Deputy Bernard J. Durkan):** The Deputy is now issuing challenges that are outside the normal parliamentary remit.

**Deputy Richard Boyd Barrett:** No. She asked me to apologise and I said she might as well dream here as in bed as ask me to apologise. I will not be apologising.

**Acting Chairman (Deputy Bernard J. Durkan):** Do not bother with dreaming in bed, just continue on with the debate.

**Deputy Richard Boyd Barrett:** What the Minister should do, instead of throwing up smoke-screens — by the way that term was a term used in America to stigmatise social welfare recipients——

**Deputy Joan Burton:** And not in Killiney?

**Deputy Richard Boyd Barrett:** No, in America and well the Minister knows it.

**Deputy Joan Burton:** No, I have never heard it before and I object to it.

**Deputy Richard Boyd Barrett:** Okay, big deal, you have not heard it.

**Deputy Joan Burton:** On a point of information, I object to that term and I strongly recommend to the Deputy that he withdraw a term which is derogatory of lone parents and not introduce it into the language in this country. If he has learned it in America that is fine but in my view, he should not introduce it into the language. It is derogatory of lone parents.

**Deputy Richard Boyd Barrett:** Why is she being allowed make political points?

**Acting Chairman (Deputy Bernard J. Durkan):** Deputy Boyd Barrett, we are dealing with Committee Stage. Please deal with the subject matter.

**Deputy Richard Boyd Barrett:** I am dealing with the subject matter. Why did the Acting Chairman not pull her up for speaking out of turn?

**Acting Chairman (Deputy Bernard J. Durkan):** The Deputy can deal with the subject matter in two ways; he can be objective or he can be subjective and he is quite entitled to do both but he should please remember that the proper conduct of the debate is important. We are dealing with a serious issue. Please continue.

**Deputy Richard Boyd Barrett:** Is the Acting Chairman addressing me or the Minister?

**Acting Chairman (Deputy Bernard J. Durkan):** I am speaking to you as well.

**Deputy Richard Boyd Barrett:** Why are you looking at me instead of looking at the Minister?

**Acting Chairman (Deputy Bernard J. Durkan):** Sorry, the purpose of the exercise——

**Deputy Richard Boyd Barrett:** She was interrupting me when I was making my contribution.

**Acting Chairman (Deputy Bernard J. Durkan):** Unless you want to concede your position, please continue.

**Deputy Richard Boyd Barrett:** No, I do not. I was wondering why you allowed the Minister to interrupt me.

**Acting Chairman (Deputy Bernard J. Durkan):** Please continue to address the issues, the subject matter of the debate.

**Deputy Richard Boyd Barrett:** I will not be apologising to you or to this House but I would——

**Acting Chairman (Deputy Bernard J. Durkan):** Just a moment, before you go any further, please do not begin your contribution with an implied threat that you will not apologise to this House. You may have to apologise to the House, in respect of something you may say at some stage in the future. I would advise you, as one who has been here for more than a couple of years, to think about that when you speak in the future.

**Deputy Richard Boyd Barrett:** What is going on here?

**Acting Chairman (Deputy Bernard J. Durkan):** Please proceed.

**Deputy Richard Boyd Barrett:** I am beginning to wonder what is going on here.

**Acting Chairman (Deputy Bernard J. Durkan):** Please proceed to address the issue——

**Deputy Richard Boyd Barrett:** I will address the Chair in my own way.

**Acting Chairman (Deputy Bernard J. Durkan):** I am sorry, Deputy, you do not have to bring in other matters. Please continue with the subject matter of the debate.

**Deputy Richard Boyd Barrett:** I think the Minister should apologise for launching this vindictive, socially regressive attack on lone parents, which is coupled with the vindictive and socially regressive attacks on lone parents launched in the last budget and which will do nothing but punish a section of our society that is already suffering disproportionately from poverty but which is struggling. It is a section of our society that is struggling to participate as fully as possible. All of the points made by the Minister precisely indicated that the stigma to which I referred when I used the unusable term which was applied to lone parents, is still alive and well within the Government.

The Minister says we need lone parents to become financially independent and we must encourage them to participate fully in society. Lone parents are already doing that and that is the point we are making to the Minister and that is the point that SPARK and other groups associated with or made up of lone parents have been making since her budget announcements. Lone parents are working and they want to work and they do not want the Minister to put in place measures that will drive them out of work. The measures she has introduced, by lowering the thresholds on the income disregards, by getting rid of the concurrent payments and now, through the course of this Bill, reducing entitlement to one-parent payments once children reach the age of seven years or ten or 12, as will be the case, starting next week, will drive lone parents out of work.

I have been receiving furious texts from the SPARK group since this debate commenced. They ask me to respond to the Minister's attempt to suggest that those of us on this side of the House were trying to create a special category of lone parents and that the Minister, on

the other hand, was very concerned, that every parent should be regarded the same rather than making a special category of lone parents. She was trying to deflect in some way the blame and responsibility onto those of us who are being critical of this Bill. The furious texts say that clearly the Minister does not understand that lone parents have very specific difficulties and problems resulting from the fact that they are lone parents. To say that is not in any way to cast aspersions on lone parents or to create divisions between lone parents and families based on couples but simply to state the fact that there are more options for juggling responsibilities between a couple. It is a different situation for a parent on his or her own because one will not have those options. The juggling options are not there. Unless a lone parent has supports, he or she cannot go out to work or access education, training or whatever. The reason lone parents and their supporting organisations are up in arms and have stated categorically that this section of the Bill should be withdrawn is because they know it will drive lone parents out of work. That is the reality of the situation.

As has been said by other speakers, the Minister acknowledged this fact last week by saying that these cuts should not go ahead until the Scandinavian model of child care was in place. It is not in place but for some people the impact of this Bill will start next week and that is the point. A new applicant for one-parent family payments with a child who is 12 years or older who applies next week, will not qualify for the payments. As of next January, this will apply to those lone parents with children aged ten years and as of the following year, new applicants will not qualify once they have children over the age of seven years. That is the fact. The cuts start now because of this Bill. Frankly, even sunset clauses do not resolve the problem. The Minister must withdraw this Bill until there are adequate supports and the Scandinavian model of child care which we all so earnestly wish to see, is in place and then we can talk about the possibility of reducing these supports that at some level, inadequate as they are, have helped 60% of lone parents to get into the workforce where they want to be. We should not be thinking about removing the supports that helped them to get into the workforce, rather, what extra supports we could provide to get the other 40% into work. No such supports are provided for in this Bill, however.

How can we pay for the Scandinavian model while the Government side of the House is against the necessary taxes? I have never heard of anything so preposterous. We are sick and tired of saying we want to see higher income taxes — which are progressive because they are based on ability to pay — to finance our public services. We have clearly stated this. In addition, we are in favour of higher taxes on the 5% in this country who own 40% of the wealth. It is not hypothetical wealth, it is real and we believe it should be taxed.

The Minister is part of a Government that keeps repeating a meaningless mantra, which states: “You can’t impose higher taxes on wealth because it is a tax on jobs.” Every time Ministers say that, I scratch my head and wonder what they are talking about. What does that mean? I still have not figured it out, but maybe the Minister could explain it.

We are positively in favour of the Scandinavian model and would not have a problem with a section of income tax revenue being earmarked to finance our local authorities. We would welcome that, but the Government is not in favour of progressive taxation on income and wealth. That is why we do not have the money to fund Scandinavian-style public services. It is a Government of regressive stealth charges.

An opinion poll in the newspapers this week compared the Government’s policy to ours. It asked members of the public if they were in favour of stealth taxes — including household and water charges, which the Minister favours — or whether they were in favour higher taxes on income based on ability to pay. The poll results showed that more than 60% were in favour of

[Deputy Richard Boyd Barrett.]

our policy. Once upon a time, Labour used to believe in that policy but has now betrayed it. Or perhaps the party does not have the courage to argue for it because tax is a hot potato.

The Irish public are intelligent and they can be persuaded and convinced of the necessity for higher taxes on income and wealth if they are fair, progressive and will finance quality public services. That is what we are in favour of but it is dishonest of the Minister to suggest otherwise.

Water and household charges are regressive stealth taxes that disproportionately hit the least well off. We have an unfair tax regime that has always protected the rich and those on higher incomes, while disproportionately hitting those at the bottom. It is also the reason our public services are in bits. The Government should levy taxes on wealth and higher incomes that could finance quality public services. Until that happens, the Minister should remove this austerity cut directed at lone parents who suffer disproportionately from poverty, as she has acknowledged. They will be driven out of work if these measures go through.

**Deputy Mick Wallace:** The Minister does not have an easy job but before she came into power I do not think she would have put her name to much of this stuff. She is a member of the Labour Party that would have objected to most of this before it achieved power. We are in a country that has one of the highest levels of inequality in the developed world, but this Bill does not tackle the inequalities that exist in our society. That is a serious mark against the Government. The Minister's primary objective in government should be to tackle such inequalities, which have grown and grown. They will grow further as a result of the last budget, which lacks fairness.

I know the situation is not an easy one and that there is not an unlimited supply of money, but there was another way of doing it. I agree with Deputy Boyd Barrett's point that direct taxation in the form of income tax is a fairer method than indirect taxes. Ireland now has one of the highest indirect tax regimes in Europe.

I realise that the Labour Party is in a coalition Government and is involved with a very right-wing party. Sadly, however, the Labour Party has been brought along and I can see more Fine Gael measures than Labour ones. When I was elected I said I thought Labour should not go into coalition. If the party had stayed in opposition, I thought it would be the largest party in the country after the next election. It will not be now, however.

**Deputy Catherine Murphy:** The Minister talked about outcomes and none of us would disagree that the optimum is to get an outcome where lone parents do not head the table of groups that are more prone to poverty. The route out of that is obviously through work. I am surprised, however, that the Minister is challenging all of us about the need for child care. She was the one who made that point last week to the astonishment of most of us, because it was flagged. The difficulty is the absence of certainty, although this measure will kick in for some next week, as Deputy Fleming said. It may be a small number of people, but it will still kick in when the Bill is enacted.

It is surprising how quickly the climate has changed for people who would have been making this argument on the other side of the House. Very often, one may be looked on as some sort of a head case if one makes the case for child care for a person going out to work who may have a seven year old at home. It will not concern seven year olds next week, but some element of it will kick in then.

If somebody signs on because they do not qualify for the lone parent's payment, and they have nobody to mind their child, they can then be refused the job seeker's payment on the basis that they are not available for work because there is an impediment for them to work. How will that be handled in practice? Should they not tell the truth?

The Minister referred to the Nordic model and municipal systems there, but their tax structure is very different. There is a high level of centralised services, as well as high local taxation and a lower level of national taxation in those particular countries. We are looking at a local government system here that has passed its sell-by date for optimum use.

If one was speaking about local taxation in the context of a very radically reformed local government system where child care, leisure services and the types of services available for example in Nordic countries applied one may well get a different response to local taxation but this is not what we are discussing which is why the Government is seeing resistance. I would be surprised if the Minister did not agree with this to some extent.

If this policy is about getting good outcomes the Government must work with people who require the services. I do not think it can be imposed without the introduction of a proper child care system. I do not think the Minister could make the argument she did last week and then persist with this section of the Bill. As I stated last week we do not have a crystal ball. It appears the Minister has made this commitment but I have not heard it made by the rest of the Government. I do not know whether the Minister made it on behalf of the Government or whether it is something about which the Minister feels particularly strongly and for which she will argue. I do not know whether the Minister for Finance will be amenable to her approach seeking funding for a child care system. In the absence of this the Minister could very easily find herself in a different portfolio by the end of this year. If she did not have the social protection portfolio and was the only member of Government advocating this where would the commitment stand?

**Deputy Joan Burton:** I thank the Deputies for their wide ranging and thoughtful contributions. I appreciate Deputy Boyd Barrett was just using language and I accept he did not mean to cast any ascription on lone parents. All of us share a huge admiration for the achievements of parents including those parenting on their own. Those of us who are parents know just how tough, messy and difficult it is whether one is in a couple or on one's own. Most of us have a shared experience. I have spent much time in the United States and I know many people in radical politics there but I never heard the term. It sounds more like a Tea Party term. I do not know who the Deputy's friends are in the United States or from where he gets his language but he should not bring it here.

**Deputy Richard Boyd Barrett:** The Minister is being disingenuous.

**Deputy Joan Burton:** It is derogatory. I suggest the Deputy should——

**Deputy Richard Boyd Barrett:** I was talking about the stigma that is applied as well the Minister knows.

**Deputy Joan Burton:** I understand his concern for lone parents is very strong and is a personal commitment. I am just saying not to use language like this. This is my suggestion. It sounds more like the Tea Party in the United States.

**Deputy Richard Boyd Barrett:** I was not using it.

**Deputy Joan Burton:** I had never heard it.

I will repeat the schedule. For those in the system prior to April 2011 the relevant age for 2011 and 2012 is under 18; for 2013 it is under 17; for 2014 it is under 16; and for 2015 and 2016 it is under seven. For lone parents who entered the system between April 2011 and May 2012 the relevant age for 2011 and 2012 is under 14; for 2013 it is under 12; for 2014 it is under 10; and for 2015 and 2016 it is under seven. For people who come into the system in future——

**Deputy Sean Fleming:** From next Thursday onwards.

**Deputy Joan Burton:** —the relevant age for 2012 is under 12; for 2013 it is under 10; and for 2014 it is under seven.

The calculations for 2012 are that out of 92,000 lone parents the new system will affect 170 people. I want to be very clear to people who are in the lone parents system that this will take several years to apply. By rather careless references one might imply that everybody is affected by this but they are not. A tiny proportion of the 92,000 people claiming the one parent family payment will be affected. Deputy Fleming commented on the number of parents affected. It is incorrect to state half of one parent family payment claimants would be affected by this measure. This would imply that all claimants would continue to claim until the youngest child is 18 years of age. I want to stress the following point which perhaps will put to rest the concerns of Deputy Boyd Barrett. Many people claim the one parent family payment for a short period and return to work. The overall figure of 92,000 claimants encompasses all claimants with short-term and long-term situations.

I have been involved in this for a very long time. When I was previously in the Department I designed much of the structure that developed into our current system. What is critical for lone parents is to provide access to education, training and work. Believe it or not, when I was involved in this in the early 1990s a young woman who became pregnant without her partner's ongoing support often had to give up secondary school. She could not even complete school. People may have seen the young woman who went missing the other day. At 16 years of age she had two children. Personally I have always been involved in this area and I have known many people affected by this in various ways. This is why I acknowledge and care very deeply about this issue. We must consider where as a country we can make the next gain and development. Deputy Catherine Murphy will remember those days when young women in school who had a child without the support of a partner often had to leave and could not return. Younger people now would not even know this situation existed.

We must ask how we can move forward. Deputies can be as critical as they like but people from various political backgrounds have various insights. I am so pleased the Government has assigned a full Ministry for children and I am sure Deputies see this as progressive. We have Ministries for Education and Skills, for Children and for Social Protection. We are capable of doing a great deal in this country.

**Deputy Luke 'Ming' Flanagan:** Hear, hear. It is a shame you do not.

**Deputy Joan Burton:** The school I went to did not traditionally even provide leaving certificate education; I was one of the first people there to do the leaving certificate. If one does not have a political philosophy of developing towards the next step and the next stage one will always stay where one is. We may find this difficult to do and we may falter on the way and not do all that the Deputies reference. I understand and absolutely accept the commitment of the Deputies to the issue. In Germany, Italy, Sweden and Norway the relevant age is three years, which is essentially a prolonged maternity leave. The focus is on parents being parents and children being children and supporting them regardless. Reference was made to what was said by my colleague, the Minister of State, Deputy Shortall, in regard to cohabitation. We need to reach a stage where we are not as a State primarily interested in people's relationship status. We should be interested in parents and children. I am particularly conscious that couples, be they living together or married, also have requirements. They work and pay taxes and child care services are for them also. We must take a holistic view of this. That is what I meant when I said that I hope we move to a situation whereby we do not have lone parents in one situation and everyone else in another. I do not believe that is good.

Looking to the future, we want a society which encourages both parents, regardless of whether the relationship has been rocky and so on — we all know relationships are complicated and complex — to be involved and engaged with their children. I support the comments made by my colleague, Minister of State, Deputy Shortall, on this issue. The current situation is not perfect. We are trying to change it and make it better. I accept Members opposite have many criticisms of it but I encourage them to consider why, for instance, the relevant age in Finland is four years, in the Netherlands, Austria and New Zealand, countries with good social support systems, it is five years and in Canada, which also has in place good support systems, it is six years. Also, North of the Border, where Sinn Féin is in government, the relevant age is seven years. Do they know something that we do not? I have not heard Sinn Féin's colleagues in the North complain about the relevant age there.

**Deputy Jonathan O'Brien:** They have good supports in place.

**Deputy Joan Burton:** Contrary to Deputy Ó Snodaigh's impression, Sinn Féin members are not the only people who travel up to the North. Deputies on all sides of the House would have relations, friends, family and so on there.

**Deputy Aengus Ó Snodaigh:** I do not deny that.

**Deputy Joan Burton:** Sinn Féin does not have a monopoly on the North.

**Deputy Aengus Ó Snodaigh:** I never suggested that.

**Deputy Joan Burton:** The Deputy's party members in the North, despite being only 90 miles from here, do not have a problem with the relevant age there. We are spending €1 billion in this area. There will be no savings as a result of this measure. It is not a savings measure.

**Deputy Aengus Ó Snodaigh:** There are savings in it.

**Deputy Joan Burton:** We are trying to open up wider and better horizons for people who are parenting on their own and for their children. This will in time to come be seen as a positive step. The Labour Party improved second level education and increased access to third level education, both of which transformed Irish society in different decades.

There are 92,000 people in this country parenting on their own. This is not a savings measure. We are trying to move to a new structure of support that encourages lone parents to be financially independent and enables and empowers them and in so doing improves the outlook for their children. All researchers indicate that the outcomes for what we spend are not good enough. That is all I am saying. We all respect all parents and all children. Every Deputy in this House is committed to the welfare of all parents and all children.

**Deputy Sean Fleming:** I am pleased the Minister has returned to the House as I would like clarification from her on one or two points. With due respect to the Minister, the longer we debate this issue the more ridiculous the Minister is becoming on it. I will explain why.

When speaking earlier on this issue, I used the Minister's figure of 92,000 in respect of the number of lone parents in this State. The Minister also stated that of that 92,000 only 150 to 160 will be affected this year, 700 to 800 next year and up to 2,000 the year after that. Those figures are correct to a point. However, they do not represent the full picture. Logic indicates that if between now and 2015 the age up to which a lone parent can receive the one parent family payment is to be reduced from 14 to seven years of age — it is payable up to 18 years in respect of some children — then the number of people receiving it will be halved.

**Deputy Joan Burton:** No.

**Deputy Sean Fleming:** The Minister misunderstood what I said earlier on this issue. I am not saying that half of current claimants will be affected by this measure, rather I am making clear that in the future fewer people will be entitled to the one family payment and, only until their child or children reach seven years of age, as compared with the current situation whereby people can claim for children up to 14 years of age and upwards. In due course, people will only receive this payment for half the number of years for which current recipients receive it. This means that the number of future recipients will be approximately half the number of current recipients. If 92,000 are currently in receipt of this payment for children up to 14 years of age — in some cases up to 18 years of age — and the age limit is halved to seven years of age in a couple of years time then the number of recipients on an annual basis will be halved. I am not saying 50% of current recipients will be affected rather I am saying that the number of recipients will halve in time because new recipients will not be entitled to the payment for as long as current recipients.

The Minister has let the cat out of the bag. As I stated, as we continue to debate this issue we are getting to the truth. The Minister said for the second time this evening that this scheme costs €1 billion. If in four or five years time fewer people will be entitled to this payment then the scheme will only cost €500 million.

**Deputy Joan Burton:** No.

**Deputy Sean Fleming:** Yes. If in due course lone parents cannot claim for children over seven years of age, which is half the 14 years in respect of which current recipients get the payment, the net effect will be that in future there will be fewer people in receipt of the payment. The Minister will probably respond saying that some parents will have two or three children and will remain eligible for the payment for some time. I do not understand why the Minister does not get it that there will be a reduced number of people claiming this payment when the age up to which lone parents are entitled to it is reduced to seven years. She might argue about the percentages but in a few years time this scheme will only cover half the number of children currently covered, which ultimately will mean the scheme will only cost half of what it is costing now, resulting in a €500 million saving.

The Minister stated in response to a question today in regard to the disability allowance that the percentage of people being refused the disability allowance has increased enormously from 52% a year and a half ago to 58% last year and more than 60% in the first quarter of this year. This is how the Minister is making her social welfare cuts. She is cutting the people on disability out of the system. She is refusing them access. She is actually doing the same with people on domiciliary care allowance. Now she will do the same with the one-parent family payment.

The Minister said she is not doing this for financial reasons. That might not be her upfront reason. There is a major downstream financial benefit from what she is doing. She said a while ago that this measure allows “lone parents to be financially independent”. She believes she can make long-term social welfare recipients financially independent by eliminating their payments. She was not present in the Chamber when I made the point that using the logic of her approach, every long-term recipient of jobseeker’s allowance could be made financially independent if their payments were abolished. She seems to think that if a person’s payment is abolished, he or she will become financially independent. Most people are financially independent. Approximately 85% of the adults in this country are financially independent. A certain percentage of the people will always have to fall back on the State. It is the job of those of us who receive income to pay our taxes and facilitate the percentage of people who depend on us. I do not follow the logic that their dependence can be eliminated by eliminating their payments.

The main point I want to come back to is that the Minister almost got away with it during the last week, when she added a big distraction to the debate about the seven year olds who will be affected in 2014. The issue is that she is guillotining the emergency legislation that is being debated by this House today and tomorrow. The legislation will come into effect next Thursday. I want the Minister to explain the situation. Somebody out there might make a claim for one-parent family payment today because the family has spilt up, the parents have split up or one of the parents has died. The surviving parent can make a claim for one-parent family payment today if his or her youngest child is 12 or 13 years of age. The emergency legislation being introduced by the Minister will come into effect next Thursday, 3 May 2012. Some people will be eliminated after that date. If a husband, a wife or a partner dies next Thursday or Friday or thereafter, the surviving parent who goes in to claim one-parent family payment because his or her youngest child is 12 or 13 years of age will not get it. Such a person would get it today or next Monday or Tuesday, but he or she will not get it after next Thursday.

**Deputy Joan Burton:** I read out the conditions for what I brought in last year. They will get it. Maybe the Deputy was not here when I read them out.

**Deputy Sean Fleming:** I was.

**Deputy Joan Burton:** I brought in that legislation last year.

**Deputy Sean Fleming:** We are talking about new claims.

**Deputy Joan Burton:** On a point of information, in case the Deputy is making parents worried, when we brought in the legislation last year we made special arrangements for deaths in families. The Deputy might not have been here when I read out those arrangements.

**Deputy Sean Fleming:** That is for existing claimants. I am talking about people who are not in the system.

**Deputy Joan Burton:** The arrangements apply when there is a death in a family.

**Deputy Sean Fleming:** The situation could arise in a circumstance other than death. The parents could break up. Somebody could lose his or her job for some reason. If a person remains in his or her job until next Thursday, the same situation applies as in the example I gave.

**Deputy Joan Burton:** He or she would be entitled to a jobseeker's payment.

**Deputy Sean Fleming:** If somebody who is in employment loses that employment next week, he or she might submit a claim for lone parent payment after next week. Somebody who is a new claimant after next Thursday will not be eligible.

**Deputy Joan Burton:** On a point of information, if the person was in a job, he or she will be able to avail of benefit.

**Deputy Sean Fleming:** No. I spoke about what would happen if they were in employment.

**Deputy Joan Burton:** It would be very rare for such a person to go onto the lone parent payment.

**Acting Chairman (Deputy Jack Wall):** We cannot have this interaction across the floor.

**Deputy Sean Fleming:** I have to let the Minister know that if you are in employment and you are paid a reasonable salary or wage, you will not receive a social welfare payment as it is means tested.

**Deputy Joan Burton:** If you have made contributions, you can receive benefit.

**Acting Chairman (Deputy Jack Wall):** I remind Deputies to speak through the Chair.

**Deputy Sean Fleming:** It depends on the number of——

**Deputy Joan Burton:** The person you are describing——

**Acting Chairman (Deputy Jack Wall):** I ask the Minister to allow the Deputy to conclude.

**Deputy Sean Fleming:** I am talking——

**Deputy Joan Burton:** You are wrong.

**Deputy Sean Fleming:** Perhaps such people have stamps and PRSI contributions that qualify them for benefit. That would exempt them from the provisions of this legislation for nine months or so. What about those who do not have sufficient contributions, however? Somebody who is in a job today on a reasonable salary will not be drawing any payment in respect of this category. If such a person loses his or her job next week, he or she might not have sufficient PRSI contributions to make him or her eligible for benefit. There are people in that category. Not everybody has been working permanently for several years. Not everybody has been in a position to ensure they have made the required contributions in the years concerned. If such a person loses his or her job after next Thursday, he or she might have to rely on a means-tested payment. If that person has a child aged 12 or 13, he or she will lose this payment even though he or she would have received it up to now. Such people will not be eligible for it in the future.

**Deputy Joan Burton:** They will be eligible.

**Deputy Sean Fleming:** If that is the case, what does the date provided for in this legislation mean? I am contradicting what the Minister has said because it is made clear in section 4 of the Bill that “this section comes into operation on 3 May 2012”. That is next Thursday. Is the Minister telling me that section 4 will mean nothing when it comes into operation? If it will mean nothing next Thursday, surely it can be deleted from the Bill now. What it means is that new applicants whose youngest child is over 12 years of age will be affected from next Thursday.

**Deputy Joan Burton:** They will go into jobseeker’s system or elsewhere in the social welfare system.

**Deputy Sean Fleming:** They will go onto one-parent family payment.

**Deputy Joan Burton:** They will simply go onto a different payment.

**Deputy Sean Fleming:** They will go onto one-parent family payment.

**Acting Chairman (Deputy Jack Wall):** The Minister will be able to respond to the Deputy when she is winding up the debate on this section.

**Deputy Sean Fleming:** It is very clear. The Minister will say that some of those who will be affected by this might have an entitlement to benefit. That might be the case. Others might not

have such an entitlement, however. This section will come into effect on 3 May next. According to the briefing note, from which the Minister has read on two occasions:

From this date, [3 May 2012] new customers will be subject to the new age qualification criteria (of the youngest child) — i.e. the OFP will not be payable where the youngest child is age 12 or over in 2012 [on 3 May], age 10 or over in January 2013 [which is only seven months away] and age 7 or over in January 2014.

That is coming into effect next Thursday. The Minister should not try to face us down by saying nothing will happen next Thursday. If nothing is happening next Thursday, what does the document she has read from on two occasions today mean? What is the purpose of the provision in section 4 of the Bill that “this section comes into operation on 3 May 2012”? This will come into operation next Thursday. The Minister should not try to slide out of what she is doing here today by telling us it will not. It will come into operation on that date. It is as simple as that. The Minister might find a few particular clauses that will help a few people, such as transitional measures, previous items of legislation or an entitlement based on PRSI contributions. Claimants will be affected by this from next Thursday. Even more of them will be affected by it from 1 January next, which is seven months away. It is inevitable that as the relevant age for everybody under this scheme is reduced to seven over a few years, the number of people claiming will have to decrease by almost half, if not by more than half. The Minister has suggested that no cost saving will arise from that, but I suggest that the cost will decrease by half, from €1 billion to €500 million. This cost saving measure on the part of the Government is an attack on the people that the Minister has been professing to be most concerned about over the last two days.

**Deputy Aengus Ó Snodaigh:** The Minister’s logic is strange. I agree with Deputy Fleming that the reason for this provision is starting to emerge. How will a change in the benefit somebody is getting make that person “financially independent”, given that the person in question will end up on another benefit? I could understand it if that financial independence were to be delivered by allowing such people to avail of a range of job and training opportunities that are not already being availed of by lone parents, rather than merely moving them from one payment to another. I do not understand the logic behind the Minister’s statement that bringing an end to the making of a payment to the lone parent of a seven year old will make that parent “financially independent”. I hope the Minister can enlighten me. Nothing I have heard in the debate so far has enlightened me in this respect.

Progress reported; Committee to sit again.

### **Estimates for Public Services 2012: Message from Select Sub-Committee**

**Acting Chairman (Deputy Jack Wall):** The Select Sub-committee on Finance has completed its consideration of the following Revised Estimates for public services for the year ending 31 December 2012: Votes 7, 8, 9 and 10.

### **Private Members’ Business**

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### **Motorist Emergency Relief Bill 2012: Second Stage (Resumed)**

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

**Deputy Catherine Murphy:** I wish to share time with Deputies Seamus Healy and Luke Flanagan.

**Acting Chairman (Deputy Jack Wall):** Is that agreed? Agreed.

**Deputy Catherine Murphy:** I understood there would be a 4 cent or 5 cent reduction in the cost of fuel and a quarterly review. I understand the cost of what is proposed is somewhere in the region of €150 million. I could be slightly wrong but I know the figure is substantial.

I acknowledge there is a serious problem. There is no doubt that the cost of getting to work has become much more expensive and the cost of doing business is expensive because of rising fuel prices. The rise is not exclusively attributable to taxation. The era of cheap fuel is over. It appears Ireland is at the middle of the table in terms of Exchequer revenue from excise duty.

In respect of another Bill, I sought the ring-fencing of the carbon tax. I understand the tax accounts for approximately 7 cent of a litre of fuel. Revenue therefrom should be spent on developing renewables. Some of the revenue is spent on retrofitting houses. However, if we are to move away from fossil fuels to renewable energies, we must ring-fence money and not put it into a general fund. If we do the latter, the tax will be only an excise duty and not a carbon levy with a definite purpose. Approximately 17% of our energy has come from renewable sources in recent years. The percentage has grown substantially.

I acknowledge people are hurting with regard to family finances. We are largely in the position we are in because of the chaotic way in which the country developed. The lack of a connection between land use and transport planning and the lack of investment in public transport have led us to where we are. If there is a party that is most guilty owing to its policy approach and a party that knew there would be a problem because of our being close to peak oil, it is the party that was in government for the majority of the lifetime of this State. I acknowledge there is a problem. The Minister for Finance stated he is not intent on accepting this Bill. All the Bill does is put the matter on the agenda in a populist way.

**Deputy Seamus Healy:** I support this Bill. It is a modest proposal. A total reduction of 5%, including VAT, in the cost of petrol or diesel would certainly be of help to hard-pressed families, particularly those with two individuals driving to work. This is increasingly the case nowadays. Fuel costs almost twice what it cost three or four years ago. In rural constituencies such as my own, a reduction would be of advantage to families which are already hard-pressed and which are being pressed further by the household charge and the proposed water tax.

At an initial cost of €150 million, the proposal would release money into local economies, which would be helpful. The major problem is one of austerity and the lack of money. What we need is economic stimulus to ensure shops in high streets all over the country are not closing and that their staff are not put on the dole, thereby putting further pressure on the State. Although the legislation is a modest measure, it would help in that regard. It would put more money in circulation and ensure there would be some emphasis on retaining existing jobs, particularly in the retail sector.

**Deputy Luke 'Ming' Flanagan:** If I got the opportunity, I would vote for this Bill. I am against indirect taxation. One could say taxation of petrol and diesel comprises a way of changing behaviour. How does one change the behaviour of someone who lives in the country, however? Does one tell them never to leave the house? That is the only way they would be able to change their behaviour. It is a tax on the poor and it is a good idea to lower it. The problem is that this is a good idea coming from Fianna Fáil. Where were the good ideas for the past 14 years and since the foundation of the State? We are now meant to cheer and state Fianna Fáil will help the ordinary man. The ordinary man is on his knees and many are at their wits' end because of Fianna Fáil's lack of good ideas. It is hard to take the Bill seriously in any way. It will help people but it is coming from Fianna Fáil; that is a major problem and the Bill

cannot be taken seriously as a consequence. What is the point in going any further with it? If Fianna Fáil really meant what it is saying, it would have done as it proposed when in power.

**Minister of State at the Department of Agriculture, Food and the Marine (Deputy Shane McEntee):** I wish to share time with Deputies Áine Collins, John O'Mahony, Pat Breen, Kevin Humphreys and Tom Barry.

**Acting Chairman (Deputy Jack Wall):** Is that agreed? Agreed.

**Deputy Shane McEntee:** The cost of diesel and petrol has become a major issue, irrespective of whether one is working in the transport business, farming or agribusiness, or whether one is a tour operator. The first thing people who have been given the opportunity to go back to work must think about is whether they have €80 or €100 to put fuel in the car. A person in the tourism industry with a contract with CIE or a tour operator contracted to bring tourists around the country for a 12-month period realises the price of diesel has gone out of control in recent months.

Those in agriculture, on which sector we depend to get the economy going again, must pay up-front before they can obtain the oil or diesel to carry out their work. Those in the transport industry, be they bringing goods abroad or up and down this country, are at their wits' end. I have met all the relevant groups in this regard over the past three or four weeks. Rather than take a short-term view and reduce the price of fuel by 4 cent per litre, we should all take a long-term view on how to overcome the problem. Because one could take 4 cent off the price of litre today but by the middle of next week, the price of oil could have gone up again. The Minister for Finance has started a process. We are a long way off coming up with a solution to help those in the workforce going to work and business and which will suit everybody because taxes must be paid. If we are to reduce tax on diesel and petrol, we must get it from somewhere else and we have a budget coming up at the end of the year.

I come from a rural constituency, I have met companies and I have put much work into this in the context of agribusinesses and transport businesses. Those companies' backs are to the wall. Some of them acknowledge that perhaps they have too many machines or lorries on the road. People could co-operate more, even in the tourism end of things. All those who depend on diesel or petrol must come together and work with the Government in the lead up to the budget to see what other way we can collect the tax. If the predictions are right — I have no reason to disbelieve them — and if the price of a litre of petrol or diesel increases further, it will cost thousands of jobs, in particular in rural Ireland. Rural Deputies of all parties are being — I will not say “lobbied” — told the facts by people in the industry.

I welcome the opportunity for a discussion but looking for a reduction of 4 cent per litre is not the answer. It covers us for another week. What happens next week if the price of a barrel of oil goes up? This is an island and we depend, to a very large extent, on exports. We must have hauliers in the game. Much work has been done in regard to tourism and we must have people in the coach business when things pick up. Coming from County Clare, Deputy Dooley knows that one could bring tolls, the price of tyres, etc., into the debate but it is the price of fuel which is causing a major problem.

It would be very easy for everyone to vote in favour of this Bill and say it will be grand and it is a quick fix, but we must take a long-term view. Some Deputies in some parties have no answers and say “No” to everything. Everybody must work on this problem and come up with a constructive idea. The problem will not go away. There is a lady in the Gallery who spent more than €110 filling her car. I spoke to a man yesterday who wanted to get off the dole but he said that if he gets €80 or €90 more working, the first place it will go is into a car. That is

[Deputy Shane McEntee.]

where we are causing problems for people who are trying to get back into the workforce. Such costs are killing them.

Will people work together to find a long-term fix? We cannot go for a short-term fix because this problem will not go away. We, on the Government side, will work with the industries to come up with a proper solution. Will everyone who has an interest in the country do that? I genuinely mean that. The referendum on the fiscal compact is coming up and people are putting their parties before the people by calling for a “No” vote which is quite stupid because they will put people out of business. It is time we all put on the green jersey in regard to the price of diesel and the other problems we face. We should look at them together.

**Deputy John O’Mahony:** I am glad to contribute to this debate and I congratulate Deputy Dooley on bringing the Bill forward because no matter what side of the House one is on, one would agree with it sentiments. There have been huge increases in fuel prices. As was mentioned, there has been a 22 cent increase in the past few months which is, effectively, almost €1 per gallon. This is coming at a time when businesses are trying to be more competitive and bring down costs. That is the difficulty. As the Minister of State, Deputy McEntee, said, it is also having a disproportionate effect on rural Ireland because public transport is not available. We do not have the Luas or the number of trains or buses we need.

The Minister for Finance cannot be held responsible for international oil prices. However, I saw variations in diesel prices from €1.52.9 to €1.61 at home at the weekend. Even if we pass this Bill tonight and the price of a litre was reduced by 4 cent, it would still be dearer at some pumps. While we cannot control international oil prices, there should not be that variation at the pumps. I do not know why that is the case but it is an issue.

People are finding it more difficult and, as was said, it is affecting people going to work. People cannot afford to go to work and that is a real problem and a sad outcome of this whole issue. People who go for drives at the weekend and the tourism industry are affected by this. I spoke to someone in a bus company today who told me that a year and a half ago, one could hire a bus for €500 but it now costs €650 or €700. That is the effect it is having on the tourism industry, business, bus operators and hauliers.

I have raised fuel laundering on a number of occasions in the House. Everybody agrees millions of euro are not being collected by the State as a result of those involved in the illicit fuel trade. Years ago it was perhaps the farmer who used farm diesel or whatever. Nowadays it is professionally organised and many criminal gangs have moved from drugs to fuel laundering. I acknowledge the increasing amount of detection but it is only the tip of the iceberg. I urge the Minister to put resources into curbing that trade because one would be supporting the jobs of people working legally and getting more money into the coffers of the State. Perhaps fewer increases or reductions in the price of a litre of diesel or petrol could be looked at in that context.

I fully understand the Government and the Minister must raise taxes but one reaches a stage of diminishing returns. One cannot continually increase taxes because, as we have seen, there are fewer cars on the road as a result. This Bill may not be passed tonight but that does not mean the problem has gone away. It will have to be addressed and I am confident it will be in the coming months and budgets.

**Deputy Pat Breen:** Like my colleagues, I welcome the opportunity to contribute on this motion. Deputy Dooley and I live in County Clare and we know the cost of filling a car with fuel to travel to Dublin or around our constituency. Undoubtedly, the price of diesel and petrol has rocketed recently, but Fianna Fáil’s sudden concern for the hard-pressed motorist rings

hollow, given the previous Government's rejection of any move to intervene to reduce fuel prices. The former Taoiseach, Mr. Brian Cowen, stated that any intervention would incentivise fuel producers to constrain production levels further, thus leading the Government to subsidise fuel at existing market prices in the long term. Tonight's business is disingenuous of Fianna Fáil. Perhaps it is a new look Fianna Fáil that wants to forget its past, but it cannot forget what it did in government.

Last night, the Minister of State, Deputy Perry, told the House that this proposal would cost the Exchequer €178 million in a full year and €119 million this year when VAT was taken into account. Deputy Dooley is genuine on this issue, but how would Fianna Fáil make up this shortfall? The lost revenue must be taken into consideration. We would all love to be in a position to reduce the cost of petrol and diesel by 4 cent, but the Government has a responsibility and cannot support short-term populist measures. We are living in unprecedented economic circumstances and we must be fiscally responsible. A cost realisation analysis of every tax-reducing proposal must be undertaken. The Exchequer cannot afford to lose revenue.

In my capacity as Chairman of the Committee on Foreign Affairs and Trade, I occasionally travel to some European countries. While in their capital cities, I observe the prices of fuel. Ireland is no cheaper or dearer than any other country. Indeed, some European countries are more expensive. This is a global problem. According to the AA, price increases since the beginning of the year mean that filling a 50-litre tank across the Border costs £72, more than the estimated £70 that two-children families there spend on groceries every week. According to the AA, the average family in the South spends more than €250 per month on fuelling a car. Petrol prices are soaring across the world. Recently, US President Obama stated that the problem could not be resolved by drilling his country's way out of it and that the only realistic long-term solution was to reduce dependence on imported fossil fuels.

The cost of fuel has been driven upwards by a number of factors. Many experts believe that out-of-control energy speculation has doubled the price of crude oil. The market fundamentals of supply and demand have also come into play. In recent years, expanding economies have created a significant demand for oil. Supply has become scarce due to a number of conflicts around the world that have interfered with the price of oil. All of these issues must be taken into account.

The Government is aware of the impact of rising fuel prices on families and businesses. I have regular contact with the Irish Road Haulage Association, IRHA, the president of which, Mr. Eoin Gavin, comes from my county. The Minister for Finance has responded to the IRHA's concerns by establishing a working group, comprising departmental officials and IRHA officials, to develop a working solution.

One of the main issues we face is oil's uncertain future. It is estimated that 12% of diesel used in Ireland is illegal. Given our problems with the theft, smuggling and dilution of oil, we must consider other means of reducing the cost of fossil fuels.

The Opposition's proposal smacks of nothing more than political opportunism. The Government has a job to do and it would be far more constructive of the Opposition to engage in providing more realistic solutions to these problems instead of shadow boxing.

**Deputy Áine Collins:** I thank the Acting Chairman for the opportunity to contribute on this Bill. Although Deputy Dooley has raised an important issue for discussion, I will not support the Bill. We are all aware of the high cost of fuel. The sharp rise in recent years has mainly been due to external factors, such as political tensions in the Middle East and north Africa. The rise in fuel costs affects many sectors from private car usage to business. However, we must consider the revenue that the State needs to earn. If the proposed changes were introduced in

[Deputy Áine Collins.]

their current format, there would be a large loss of income. The Minister of State, Deputy Perry, detailed the situation in his address to the House yesterday evening. The cost of these proposed changes would reduce the State's income by €178 million in a full year. This money would need to be found somewhere else, but doing so would be difficult. We must accept that we cannot spend more than we earn.

That said, Deputy Dooley has made a good point regarding the difficulties that the cost of fuel is causing road hauliers. As fuel costs are a cause of concern for their important industry, the Government has set up a working group between the Department of Finance, the IRHA and the Revenue Commissioners. I am glad to say that I am a member of the working group. The IRHA sought such a group for many years, but the Fianna Fáil Administration did not oblige it. To emphasise how seriously the Minister, Deputy Noonan, is taking this issue, he set up the working group in February and, to date, we have met six times, including today. The working group has been examining a number of issues in regard to the difficulties being experienced by road hauliers.

We all recognise the difficulties that the haulage industry is experiencing and how that affects our wider economy. In some European countries, hauliers can get a rebate on the purchase price of diesel. There is an entire economy known as "tank tourism" in countries such as Luxembourg and Belgium. Many hauliers fill their tanks when leaving those countries and use them on Irish roads. The IRHA has surveyed 9,000 hauliers of its 16,000 membership. We are trying to evaluate the cost to the State of implementing such a rebate. A rebate of approximately 8% would be required to attract people to start buying diesel in Ireland again.

As well as the price of fuel, another large issue is that of fuel laundering. Deputy Dooley referred to the fact that there was a lack of understanding at Government level of the urgent need to tackle this issue. This is not the case, as can be seen by the fact that there is ongoing engagement with the IRHA concerning this issue. The talks to date have been frank on both sides and there has been good engagement by those involved. We are trying to find a process that would address the green diesel issue, in particular its laundering as "washed diesel".

Enforcement action is ongoing and legislative changes that will enable more effective controls in this sector have been included in this year's Finance Act. There is a new licence for marked fuel traders that requires them to be tax compliant and periodic returns of information must be submitted to Revenue. We are also working with the UK authorities, especially in the Border area.

*(Interruptions).*

**Deputy Áine Collins:** I ask Deputy Dooley at least to do me the courtesy of listening when I reply to his Bill, if he would not mind. We estimate that at least 14% of all diesel is laundered, presenting a significant problem for the industry. The working group is examining a range of solutions in this regard. In particular, we are discussing a pre-identified fuel card for end users of green diesel. This is the real issue, as we must know where end users are located so that we might trace where green diesel is being used and close down criminality in this sector.

We need to address the current situation, which is the reason the working group was established. We should continue our engagement. We hope to bring this matter to a conclusion in the next few weeks, which will involve making recommendations to the Minister. In this light, I will be opposing the Bill before the House.

**Deputy Kevin Humphreys:** I have seen some populist Private Members' Bills since entering the House. In fairness, not many of them have been Fianna Fáil's, but this Bill takes the

biscuit. Not even Charlie McCreevy would have chanced something like this. Fianna Fáil is starting to——

**Deputy Timmy Dooley:** It is clear the Deputy does not represent a commuter constituency.

**Deputy Kevin Humphreys:** It is disappointing that Fianna Fáil appears to be joining the populist mob by proposing policies without explaining how to pay for them.

**Deputy Niall Collins:** Tell us about upward only rent reviews.

**Deputy Kevin Humphreys:** I am glad the Deputy is listening to me because he was not listening to other speakers.

**Deputy Robert Troy:** The Minister needs to listen.

**Deputy Kevin Humphreys:** Every Deputy is aware of the cost to hard pressed families of filling their tanks with petrol but a reduction of 4 cent per litre will not address the problem. Petrol and diesel prices have risen across the world and will continue to do so.

The estimated cost of the measures proposed by Fianna Fáil is €178 million per annum. If the Deputies opposite want to do something they should show us how where we can find that money. Excise duty is a static charge which does not change when oil prices increases. The additional VAT brings approximately €15.5 million in a full year. It is reckless to propose this measure without identifying other areas where the money can be raised. We are going back to the days of Charlie McCreevy supply side economics, which caused the disaster.

The price of diesel has increased by 38 cent since 2010 and the budget increases in 2011 and 2012 added a further 3.5 cent. Petrol and diesel costs at least 10 cent less than in the UK and countries like Italy levy higher fuel taxes despite cheaper living costs. The price of oil is the main problem not the tax rate. The increase in the cost of oil has been driven by several factors. Global demand has increased by 4% since 2005 despite a 7% fall in western countries. Problems in the Middle East have disturbed security of supply and quantitative easing by the US Federal Reserve has also been blamed for increasing prices because oil is priced in dollars.

In past recessions a fall in demand helped to drive recovery but global demand has continued to rise, particularly in Asia. If we learn anything from this price surge it is that we have to wean ourselves from fossil fuels. The actions needed to reduce consumption include car maintenance and ensuring proper tire pressure. The bad planning that obtained in the greater Dublin area has had impacted on families which have to travel long distances to work. That planning was driven by the factors unearthed in the tribunals.

This is an irresponsible Bill because it does not consider the impact on the economy. We have to find a better mechanism for providing public transport. People who live in rural areas are harshly affected by fuel prices but lowering prices for everyone is not the solution. We seek realistic proposals. Some of Deputy Dooley's colleagues believe in realistic solutions but this Bill will not solve anything if it takes €170 million out of the Exchequer.

**Deputy Tom Barry:** I will be voting against this Bill because it provides a populist approach to a serious issue. It is poorly written and displays a staggering lack of understanding of the oil industry in providing for the Minister for Finance to review excise duty on mineral oil on a quarterly basis, taking account of the price of oil.

The price of oil fell by 28 cent per barrel today to \$117 per barrel. A litre costs approximately €1.70 today. In June 2008 oil cost \$147 per barrel and €1.24 per litre. Given that I am probably the biggest user of diesel oil among Oireachtas Members, this issue affects me personally. The

[Deputy Tom Barry.]

Bill is poorly written. The issue needs to be addressed holistically if we are to regulate and examine high prices. To put the figures in perspective, the price of auto diesel has increased by 24% since 2010, while the Government's take has increased by 2%.

A barrel of oil is traded at least 500 times. Futures trading practices in EU and world markets need to be investigated. If this Bill does nothing else, I hope it will encourage Ireland to take a lead in this area. We are unfortunately all too aware of the consequences of rogue trading and over leveraging of assets and commodities by financial institutions. Speculation on commodity products like oil needs to be curbed. If speculators were required to lay down hard cash in order to make a deal, we would not see barrels being traded 500 times.

It is worrying to see commodity trading in food products. Speculation creates exaggerated peaks and troughs and damages primary food production. The food inflation that can result impacts negatively on the consumer. Cheap food prices have helped to keep inflation in check for many years but as the world population passes the 7 billion mark, that spring is set to break. Fuel and food are intrinsically connected.

The 4 cent reduction proposed in this Bill equates to a decrease of approximately 2% for the consumer but €143 million for the Government. I need not remind the House who signed us up for the programme of adjustment. If we forgo this €143 million it will have to be found elsewhere. I do not see many people volunteering to donate that sort of money.

We should be asking how high the cost of a barrel of oil needs to go before renewable energy is embraced. I recognise the problems faced by the haulage industry because I deal with it on a daily basis. It is under pressure not only from diesel prices, shocking though they may be, but also from the downturn in the businesses that contract its services. Many haulage businesses are under pressure to find enough work to meet their fixed costs. I am in favour of a standardised charging system which would allow many of our fine hauliers to stay in business. Many of them have to deal with depreciation and other operating costs. They cannot afford to change their vehicles on a regular basis but any business which relies on old equipment faces trouble.

I do not like the crocodile tears being shed across the floor. When Mary Coughlan shut down the beet industry she ignored the potential for ethanol production. We could have a thriving ethanol industry offering lower fuel prices. I do not blame the Deputies opposite for that but they should not play politics with a serious issue.

**Deputy Robert Troy:** I propose to share time with Deputies Niall Collins, McConalogue, Kitt, Kirk and Calleary.

**Acting Chairman (Deputy Joanna Tuffy):** Is that agreed? Agreed.

**Deputy Robert Troy:** I commend my colleague, Deputy Dooley, on bringing forward this proposal. It warrants discussion on the floor of the House. It is an issue that affects every family in the country. As it affects agricultural contractors, hauliers and small businesses, and is a topic of conversation throughout the country, it is appropriate that we take this opportunity to debate it here this evening.

If we really wanted to be populist and simply reduce the cost of petrol and diesel, we would advocate a bigger reduction than one of 5 cent or 4 cent in the excise duty with the balance being made up through a VAT reduction. We are trying to make a real proposal albeit for a modest reduction in the cost of fuel for struggling motorists. It is a very real and honest proposal to try to help the struggling families who are commuting, agricultural contractors, hauliers and small businesses. I do not believe it is being populist and it is trying to offer a constructive solution to problems we are facing. While I accept it will cost the Exchequer approximately

€145 million, we believe the people getting the benefit of this reduction will go on to spend in the domestic economy and that its effect will be cost neutral in the longer term.

Many Government Deputies agree with what we are proposing and have spoken very favourably about it in the House and even more favourably about it on their local radio stations, saying that this is something that needs to be done. It is easy to say one thing on the radio and something different in the Chamber.

**Deputy Michael Healy-Rae:** There are many of them doing that.

**Deputy Robert Troy:** If introduced, this will have a positive impact on small businesses, a sector the Government has severely neglected in the 14 or 15 months since it came into office. If the sector got the supports it needed it could create thousands of jobs. I am mainly referring to the commitment of one particular party, none of whose Members is in the Chamber now, to abolish upward-only rent reviews, but that has gone by the wayside. The issue of commercial rates should have been addressed not just in the past 14 or 15 months but many years ago. Having said that, a new Government came into power 14 or 15 months ago and has not taken the opportunity to address the issue. This is a sector that is on its knees and is not getting support from the Government. Once again tonight, the Government is signifying that it is not interested in this sector. The news of job creation as a result of foreign direct investment is very welcome and all those associated with that are to be complimented. However, the domestic sector and small family businesses in the retail sector in particular have been left for dead by the Government. Government Deputies voting against this Bill tonight will represent another example of renegeing on and neglecting a very important sector.

It is amazing that Deputy Luke 'Ming' Flanagan can compliment the proposal yet say it is a pity where it comes from. He is a man who prides himself as a negotiator and should know that it does not matter where a good proposal comes from. If it is a proposal that warrants consideration and support, it should be supported.

I accept this represents a modest reduction in the price of fuel, but it would benefit thousands of families and businesses. I understand how the party system works — the party Whips will be in place and it will not go through. However, at least this has given an opportunity to have this important issue debated on the floor of the House. I hope the Government will move with much more speed than has been evident in supporting small businesses in order to bring about long-lasting resolutions that will result in a reduction in the price of fuel at petrol pumps.

**Deputy Niall Collins:** I thank the Minister of State, Deputy McEntee for his earlier constructive contribution, which is to his credit. I am somewhat saddened by the contributions from some of the Government Deputies. If it was wrong for the previous Government not to deal with the issue, is it not wrong now for the present Government not to deal with the issue? Do two wrongs make a right or is it right for the present Government to deal with the issue? We need to bring a degree of consistency to the issue. The previous Government's failure to do something is not a reason for the current Government not to do it either. I respect that there may be a working group, but it is a serious issue which disproportionately affects rural commuters and we need to address it as soon as possible.

While I recognise there is a cost to the Exchequer, we are experiencing the law of diminishing returns for the Exchequer as a result of the spiralling oil price. Everybody in the House will recognise that people are curtailing their journeys and taking cars off the road. People are being forced to curb their lifestyles. As constituency representatives, when we are not here in Dublin, every day of the week we are dealing with people who are telling us they cannot make trips to hospital or other trips for day-to-day basic family commitments as a result of the hard-pressed circumstances in which they find themselves. It behoves us all to try to deal with this

[Deputy Niall Collins.]

issue. It is sad that when we raise an issue for debate in the House we get mocked and ridiculed because it is coming from the Fianna Fáil Party. That shows a basic disrespect for democracy because I have a mandate as does my party. Anybody elected to this House has a mandate and we are fulfilling our duty in raising issues affecting the people we represent.

Where can the money be found? The Government will have to provide an answer to that question, through the support and backup it has. While €145 million was mentioned, we could argue the figures all day long. However, the principle must be accepted by all and acted on promptly because it affects our competitiveness. Not alone is it affecting hard-pressed families going about their day-to-day duties, but it also affects the road haulage industry, the transport industry and agriculture. Today we met the association of farm contractors in Buswells Hotel. A number of them came from my constituency in County Limerick. It was one of the top issues on their agenda and it is becoming more serious for these people to try to survive and cope in business. I appreciate there is an underlying issue with the base oil price, but we need to find a mechanism to deal with the issue as otherwise the very fabric of society will come into question. We have had an increase in the cost of rural school transport, much of which was attributed to the increase in fuel prices to the service providers. It is affecting every corner of our society. We need to get ourselves together and deal with the situation in a manner that delivers a solution in a timely fashion.

**Deputy Charlie McConologue:** I commend my party colleague, Deputy Dooley, on his introduction of this motion, which deals with something that is on the tips of many people's tongues across the country — the rising cost of motor fuel and the difficulties this is creating for many people on a daily basis. Back in January 2009, petrol and diesel cost around 95 cent per litre, but now they can cost anything from €1.60 to €1.70, depending on what part of the country one is in. In this time we have seen people's economic circumstances deteriorate significantly. Their incomes have gone down and charges have increased, and far fewer people are now in employment, unfortunately, than in the past.

The Government needs to take a more active role in managing fuel prices. The suggestion in the Bill that we move to a system under which the excise duty applied to fuel is reviewed every three months, as opposed to every year, is appropriate. It is important that the Minister and his Cabinet colleagues show they are willing to take some action on this issue, even if only to give an indication to the public that they understand the situation they are in and the pain this is causing.

There certainly would be a cost associated with such a measure. The total estimated cost is €145 million. I would be interested to hear, in the Minister's closing comments, how he can reconcile his attitude this week about what will happen to the money that motorists save from a reduction in excise duty with his position on the same issue last week. Last week, he said that if the money was not spent at the petrol pumps it would be spent somewhere else, and therefore it would not represent a cost to the Exchequer, but this week he is refusing to accept that this is the case.

As my colleague Deputy Collins mentioned, people are now travelling less and curtailing the journeys they take. The revenue that many in the fuel industry are taking in remains similar to its previous values, although the volume has been decreasing. If the Minister were to take a stance and back a move such as we are suggesting, the revenue lost to the State might be less than expected. Considering the cost of fuel has increased by 75% in a little over three years, the base price of fuel is still not at an all-time high. It would be wise for the Minister to take a proactive approach to managing the cost of fuel.

I also ask the Minister to consider seriously the proposals put forward by the Irish haulage industry, whose representatives have met with the Minister on a number of occasions recently. The proposals to alleviate the pressure on the industry are sensible. Because fuel prices are a basic cost for hauliers, they, more than anyone, are being crippled by high fuel prices. Many haulage companies are put to the pin of their collar. It is important that the Minister consider these proposals on a targeted basis and try to come up with a solution that might alleviate the pressure on hauliers and ensure some of them stay in business during this difficult period.

Some movement by the Minister in terms of managing the revenue take from fuel would also be helpful in encouraging people to take domestic holidays and travel around the country. Because air travel continues to be cheap, it can cost as much to travel to another part of Ireland as to fly abroad.

I ask the Minister to give serious consideration to this Bill and to monitor actively and to manage fuel prices. The Government needs to take some control of the situation.

**Deputy Michael P. Kitt:** I also commend Deputy Dooley on his introduction of this Bill. It is a progressive and interesting proposal that he has put before the House. People are concerned about the price of fuel, which has reached €1.70 for a litre of petrol, and every family is discussing the topic. The measure proposed by Deputy Dooley is modest. Like other Deputies, I have received hundreds of e-mails and other messages on this topic. The e-mail I liked best contained just one line: "Please vote for the reduction of 5 cent in fuel. We need every break we can get." That is how many motorists feel now; they need a break. The proposal for a 5 cent reduction in excise duty per litre of fuel is a positive one.

Deputy Dooley's Bill also proposes that fuel prices be reviewed every three months rather than every year, which is a good idea. Other Governments should have done this, but there is no point in saying that now. We have a Bill in front of us that makes sense. We should consider the cost of oil on world markets, which is changing all the time. The Government needs the flexibility to respond to this on a regular basis, and this Bill would allow any Government to react quickly to developing situations in the marketplace. Petrol and diesel are often called the old reliables, and Governments in the past have often treated them as such, increasing excise costs often, which has resulted in an unfair burden on people. I can see how these price increases have affected people in my rural constituency.

I was interested in an article in *The Irish Times* today about the fuel price tracking website *pumps.ie*. According to the website, the average price of a litre of petrol across the State yesterday was €1.70, while the average cost of a litre of diesel was €1.60. Less than three months ago, the same website put the average price of a litre of petrol at €1.55, which represents a difference of 15 cent. In July 2008, when oil peaked at \$147 per barrel on the international markets, the average price of a litre of petrol in Ireland was €1.36, which is 34 cent less than today. There has certainly been an increase, and the biggest driver of higher fuel prices in recent months has been Government taxes. Since the emergency budget back in 2008 there have been five tax increases, including an increase in VAT, the introduction of a carbon tax and three excise duty hikes, which have added 21 cent to the price of a litre of fuel. Motorists, who contribute 10% of all Exchequer revenue, including excise duty, VAT and VRT, in addition to €1 billion in motor taxes, have been badly hit by this. Even if the figure associated with this measure was €145 million, as Deputy Dooley said, the provision would certainly act as a stimulus to the economy, with a boost in consumer confidence.

We are entering what is known as the peak summer driving season. Hard-pressed motorists deserve a break, as that e-mail suggested to me. The situation is becoming more acute. Not only motorists but also farmers and small businesses across the country need some relief from the costs involved in paying for fuel. As the cost of fuel rises, people feel they are being

[Deputy Michael P. Kitt.]

squeezed from every angle. I notice the Fair Fuel campaign in the UK has highlighted the potential positive impact on the economy of a reduction in fuel duty. If we consider the hardship caused to people, look at jobs and agriculture and think of the contractors we met today, it is important that we do this and imperative that we move this Bill through the House.

**Deputy Seamus Kirk:** I thank the Acting Chairman for this opportunity to speak briefly on this Bill. If we sit down and try to identify in a pecking order the issues that impact on the greatest number of people in our population at present, fuel costs will be very near the top of the pile. There are so many car and transportation costs because people are driving to work. Those who live in the commuter belt along the east coast and into the midlands must drive in and out of Dublin on a daily basis. There is no doubt that many of these people have been seriously and adversely affected by the very steep increase in fuel prices in recent times. This is at a time when many people find themselves the custodians of stressed mortgages and face issues of personal debt as general costs in the economy have escalated. The one area where we can make a real difference is fuel costs.

This Bill is framed and designed to tackle the issue of fuel costs in the economy. If we are to achieve the level of competitiveness that is clearly necessary to get the economy moving again, create jobs and have a cost base within the economy that will leave us in a competitive position *vis-à-vis* other places in the marketplace selling their produce, it will come about in the area of motoring and transportation costs. We have it within our power to reduce those costs and this Bill graphically spells out how that is to be achieved. Although some commentators may say that we have certain commitments to meet in our arrangement with the troika, there are very strong and compelling arguments that these proposals would have a stimulus effect in the economy. If we look at some of the projections made by units looking at this general area in the UK and transpose them to Ireland, clearly the same type of benefits will accrue to our economy.

Taking the tourism industry, particularly the number of people who take their holidays outside the country, it would make a difference if we could succeed in getting 30% of them to holiday at home. Motoring costs are one of the most significant elements of the holiday spend in Ireland. People plan their holidays. If the Government and the Minister for Finance can convince one in three of those who holiday abroad to take their holidays at home, imagine the revenue benefit that would accrue to the Minister's Department and to the Exchequer. If this Bill finds the support of a majority of Members, it will go a long way to meet the sort of requirements that exist in that area.

In recent days I was especially heartened by a backbencher on the Government side. I am sorry he is not in the House so that I could compliment him. He has spoken on local radio, exhorting the Minister for Finance and the Government to look at the issue of the cost of fuel for transportation, social driving and driving to work. I do not know if the Deputy has had an opportunity to speak in this debate but I hope that when we come to vote on it in half an hour, he will see the merit in the argument that has been advanced for this Bill and will make the ultimate call on behalf of those he was rightly advocating for by supporting it. We await developments. There are only 25 minutes to wait and see what will happen. I encourage the Minister for Finance to forgive the particular Deputy if he takes that road tonight. He would be doing a great deed for the country but we will await developments and see how things pan out.

I am sorry I have only a limited time to speak. I lend my support to the Bill and to my party advocate, Deputy Timmy Dooley, and I hope the Minister for Finance, who we are glad to see

present for the debate, will see the merit in the arguments and the points advanced and perhaps consider implementing them.

**Deputy Dara Calleary:** I, too, thank Deputy Dooley for highlighting this issue. In spite of all the controversy and excitement surrounding the household charge and water metering, this problem is probably bigger than both in terms of the pressures it puts on families and small businesses. I welcome the Fine Gael Deputies back from Punchestown. I hope they did not get too wet.

The Bill has been around for some time.

**Deputy Paul Kehoe:** There were a few Fianna Fáilers there too.

**Deputy Dara Calleary:** This Government's refusal to do anything about it, however, on the basis that the last Government did not do anything about it is not a justifiable explanation. I noticed another explanation given by the Minister yesterday, namely, that it was not proper to take the budget apart so early into its term. The Minister is right. I hope the Minister for Social Protection was listening to him when he said that.

This charge is driving very many costs. The current level of fuel rates in our domestic economy is driving costs for small business and for haulage, which goes directly back to those who were championing exports and their ability to get us out of the current situation. It is driving costs for families, in particular those who have to commute long distances every day to their houses, from Dublin right up the east coast and throughout the midlands. As we noted, our domestic economy is not improving. There is fantastic success on the export side of things and in research and development, but our domestic and retail economy and the ability of people to actually spend money is not improving, no matter what we do. There has been relief in some areas but overall retail sales continue to decline. One of the initiatives, or marks, of implementing this legislation would be to drive some element of confidence into that economy to release some money back into the retail economy, thereby increasing VAT receipts for the Minister and going partially towards the cost of the measure.

Presumably the Minister has based his excise tax projection on a certain level of where fuel costs were estimated to be at some stage during the year. In everybody's estimation fuel prices are currently far beyond anywhere anybody could have forecast, especially for petrol. Surely the excise excess the Minister is making from the increase in fuel prices should be taken back. That would be another way to go towards paying for the costs the Minister claimed we had not identified.

There is talk of a review group. I reiterate that this issue has been around for years and it is time we finally faced up to it. Fuel has been and remains one of the old reliables. Although there is an argument to be made for a tax on tobacco in terms of health, there is no argument in this case. There is also a growing issue in terms of laundered and illegal fuel coming across the Border. Pressure is put on local authorities who must maintain and clean up areas. I read that Monaghan County Council has to budget €1 million for cleaning sludge from roadsides and fields because of laundered fuel that is coming from the other side of the Border — or even under it — as a direct response to the current very high cost of legitimate fuel in this State. Laundered fuel, its impact on the economy and smuggling in general are issues we must discuss further in this Chamber. However, we have the ability to do something about the current level. If we could do that and take it on, we would immediately cut the legs from under those who sell laundered fuel into this economy, thereby increasing tax revenues again.

Rather than have the usual scenario of people saying, "No, we're not doing this", people should think outside the box. Given where our domestic economy is at, that is what is required. The old way of doing things is not going to happen. This would be a good way to start.

**Minister for Finance (Deputy Michael Noonan):** I thank all Members who contributed. I am sorry the debate was not slightly more constructive. To be constructive, Deputy Dooley could have shown me where to get the €174 million this measure would cost if I acceded to the request. In present circumstances, that is a lot of money in anyone's terms. At the time of the budget, petrol was 150 cent per litre and is now 170 cent, an increase of 20 cent. On budget night, there was no increase in excise but a 2% increase in VAT and an increase of €5 on a tonne of carbon. Of the 20 cent increase since the budget, less than 5 cent is attributable to taxes imposed by this Government. It is untrue to say the vast proportion of the price increase derives from tax increases.

Deputy Micheál Kitt referred to an article in *The Irish Times* but misquoted it. He said there had been an increase in recent months of over 20 cent due entirely to tax increases. The article said that, since 2008, tax increases contributed an increase of 20 cent to the price of a gallon of petrol. Of that, 5 cent was the work of this Government and the other 15 cent of the increase was the work of Fianna Fáil and the Green Party. I appreciate the conversion of the Fianna Fáil Party and the fact that it is addressing some of the damage it did. However, it has the same solution of throwing lumps of money it does not have at the problem.

**Deputy Dara Calleary:** The Minister has also made some conversions.

**Deputy Michael Noonan:** We cannot consistently spend more than we collect in revenue each year. It is not sustainable. It was suggested by some Opposition speakers yesterday evening that the Bill would provide a modest reduction in the price of fuel. The impact of this reduction would be far from modest in terms of the cost to the Exchequer as it is estimated at €178 million in a full year when VAT is taken into account. The loss of revenue would have a negative impact on the performance of our public finances, which is vital for economic well-being and to exiting the EU-IMF programme. Ireland has been running large public finance deficits since 2008 and this has driven up the country's debt level significantly.

I acknowledge that fuel prices are very high and I do not underestimate the significant additional financial burden this imposes on families and businesses. Ireland, as with other countries, has experienced a significant increase in the cost of petrol and auto diesel in recent years. There is general acceptance the increase in fuel prices is an international phenomenon. All sides of the debate have acknowledged that fuel prices are driven by factors largely outside our control, including the price of oil on international markets, exchange rates, production costs and refining costs. The rise in oil prices over recent periods reflects additional factors such as geopolitical uncertainty in north Africa and the Middle East, with potential supply disruptions.

Many of the contributors to this debate have raised the issue of fuel laundering and its impact on legitimate business, Exchequer tax returns and the environment. The Government will not tolerate such criminality. In addition to the ongoing enforcement action, legislative changes to enable more effective controls in this sector have been included in this year's Finance Act, including the introduction of new licensing requirements for marked fuel traders. The new arrangements will, for the first time, require any person dealing in marked fuel to hold a licence for the purpose. The granting of a licence will be subject to tax clearance requirements and the applicant will have to show Revenue that any conditions subject to which the licence may be granted will be complied with. Revenue will be empowered to revoke a licence if any of the licence conditions are breached. In other words, there will be traceability. At present, those supplying home fuel are not licensed and the sector is the source of laundered fuel. By making the sector traceable, so that every gallon can be traced from the port of import to the customer, we will contribute to cleaning up the system.

It is intended that the record keeping requirement will be strengthened, and that a new requirement to make periodic returns to Revenue will be introduced. All mineral oil traders, including traders in marked fuels, will have to make regular returns, electronically, detailing their fuel transactions. This will be an important new source of information on the supply chain for Revenue.

Steps are being taken, in close co-operation with the UK authorities, to acquire a more effective fuel marker. Revenue is planning to go to the market shortly, with the UK authorities, to seek a new marker. With cross-Border trade, there is no point in acting unilaterally; we must act with the British Government on this point. A good deal of preparatory research has been undertaken here and in the UK and we expect to proceed with the project shortly.

In the course of the debate Members from both sides of the House have referred to the particular difficulties encountered by the haulage sector. I appreciate the difficulties and a working group has been set up between officials from Revenue and from my Department. The group met this morning and has a few more meetings to hold. I hope a policy paper will be prepared with a view to some action being taken.

I remind the House that Fianna Fáil Ministers, in 2005 and 2008, subscribed to the Manchester protocol, an ECOFIN protocol providing that when there are spikes in fuel prices, no European Government will intervene to reduce prices for competitive reasons. That position has been held largely since then. We are bound by an agreement into which the Fianna Fáil Ministers entered in 2005 and reiterated in 2008. Just after Christmas, it was reiterated at an ECOFIN meeting I attended. We are somewhat tied but we may be able to do something because I appreciate the difficulties for the haulage industry. It is crucial to our model of export-led growth because the people who haul goods to the ports or haul them across the Continent play a vital role in lifting the Irish economy.

**Deputy Joe Carey:** Hear, hear.

**Deputy John Browne:** I propose to share time with Deputies Michael Healy-Rae and Timmy Dooley. I thank Deputy Dooley for tabling this Bill, which gives us the opportunity to discuss many of the issues raised with Deputies on all sides of the House in recent weeks. This week I met the farm contractors association, IFA members and the Irish Road Hauliers Association. All had the same concern — the increasing cost of petrol and diesel — and in many cases they claim the increases are practically putting them out of business.

The Bill would provide for an immediate reduction in the excise duty on petrol and diesel of 4 cent per litre. Adding VAT to this amounts to a 5% reduction, which would be of major benefit to families travelling to work and bringing their children to school. In recent weeks, we have seen a reduction in the number of people attending GAA games. I do not blame the Minister for the whole problem but the cost of fuel and the high admission prices charged by the GAA are unhelpful. This area must be examined.

We also call for a review of fuel prices every three months instead of the current system of annual reviews. It does not make sense to review fuel prices once a year at budget time when the cost of oil on world markets changes all the time. The Minister should take up this point and try to introduce changes at ECOFIN meetings. The Minister is blaming Members on this side of the House for introducing it but I am sure he is capable of renegotiating.

In recent weeks I have received correspondence from some of the major hauliers in my county. I passed onto the Minister their concerns about the diesel price increase, from 83 cent per litre in March 2009 to €1.25 today, an increase of 50%, and the fact that laundered diesel is all over the country, which means legitimate hauliers cannot compete with carriers using illegal washed fuel. I welcome the fact the Minister will take action on laundered fuel and that

[Deputy John Browne.]

he is working with the Government on the other side of the Border. It is a slow process and one that is causing a major loss of revenue to the State. It needs to be dealt with quickly.

Criminals, facilitated by the Government, are destroying the industry and the Government is standing idly by. The Government promotes and supports exports and has talked about a major increase in exports over the past number of years. At the same time, hauliers, who bring 95% of exports to the UK and Europe, are being crucified by fuel and motor taxes. Haulage prices are falling and companies and customers are renegotiating charges. Hauliers must also take into account the huge cost of fuel increases and many hauliers are going out of business. I noted that from the last document the haulage association sent to me, the number of haulage licences dropped by 1,300 in the past three years, representing a loss of approximately 10,000 jobs. This is a serious situation.

In fairness to the Irish Road Haulage Association, it has put forward solutions. The Minister has a working group in place and it is important that this group concludes its discussions and dialogue and comes up with solutions. If it does not, many more hauliers will go out of business. They are getting very impatient with the Minister at the slowness of the working group in producing its final report. I welcome the fact that the Minister said tonight that following a couple of more meetings he will bring forward solutions to the problems encountered by hauliers throughout the country. The Minister is aware of an EU directive that allows governments to support the haulage industry in their country and many countries in Europe do this and give an essential user rebate to hauliers in accordance with this directive. It is important the Government works on that.

As Deputy Kehoe knows, I worked in the oil business for approximately 15 years and I have a fair knowledge of how companies operate. It is well known that cartels and price fixing operate in the oil business. This begs the question whether, even allowing for the high cost of fuel on the world market, oil companies here are overcharging customers in Ireland. I believe they are. The Minister should ask the Competition Authority to investigate the operations of the oil industry in Ireland. For far too long, from national to local level, the industry has operated cartels within the industry. This is not in the best interest of the consumer. There is little competition and it is time the Competition Authority investigated the operations of the oil industry here.

**Deputy Michael Healy-Rae:** I thank Deputy Dooley for bringing forward this Bill, which is sensible and much needed. For the past 22 years I have run a small retail fuel business and I know the business inside out. Since the price of fuel has sky-rocketed, I have noticed that people are economising and using less. Sales have reduced, which means the Government take must have fallen. The cost of fuel is also stopping people travelling, which stops people spending.

With regard to the effect of price increases on contracting, today we met with a new organisation representing agricultural contractors. People in the haulage and machinery hire businesses find the cost of fuel crippling because their rates have reduced over the past couple of years because of competition. There is so much competition for work that rates continue to reduce. However, fuel costs continue to rise. It now takes €1,400 worth of diesel to fill an articulated lorry with fuel. This is a significant amount of money. If it was half that price, it would be too much. This Bill should be supported by everybody here. We are talking here about a forced introduction of price increases. If a litre of diesel cost 75 cent at the pumps tomorrow morning, that would be plenty to pay. The Minister may laugh at that, but it is the truth.

**Deputy Michael Noonan:** Deputy Healy-Rae is doing better than Deputy Dooley. He was only taking 4 cent off.

**Deputy Michael Healy-Rae:** I thank Fergal Blaney for pointing out that while leader of the Opposition, our now Taoiseach, Deputy Enda Kenny, urged the then Taoiseach, Brian Cowen, to consider using tax powers to reduce the soaring price of fuel for motorists. He said at the time that he was disappointed that the then Taoiseach did not have an initiative with regard to the mix of excise duties and VAT to ensure that they were not used as a further battering ram against the hard pressed consumer. At that time a litre of fuel was €1.32. Is it not amazing how a person can change his mind? It is a very short journey from this side of the House to the other side, but it is amazing how a person's mind and outlook on everything can change so much when he crosses that short distance.

**Deputy Paul Kehoe:** The Deputy's father supported that.

**Deputy Michael Healy-Rae:** Deputy Kehoe came into the House previously and told lies in the House and had to apologise for that. If he wants to talk now, perhaps he wants to tell a few more lies. He told lies in the Chamber but he withdrew what he said. However, I will not waste my time on that.

**Acting Chairman (Deputy Joanna Tuffy):** The Deputy should withdraw the charge of lying.

**Deputy Michael Healy-Rae:** He did lie. He came into the Chamber and told lies.

**Deputy Paul Kehoe:** The Deputy should withdraw that remark.

**Deputy Michael Healy-Rae:** Not at all. I cannot withdraw it, because it is a fact.

**Acting Chairman (Deputy Joanna Tuffy):** The Deputy should withdraw the remark.

**Deputy Michael Healy-Rae:** Okay, sorry. He came into the Chamber and told an untruth. Then he came in a week or two later and withdrew the untruth.

**Acting Chairman (Deputy Joanna Tuffy):** I ask the Deputy to withdraw the charge. If not, he should resume his seat.

**Deputy Michael Healy-Rae:** Is it the charge of lying?

**Acting Chairman (Deputy Joanna Tuffy):** Yes. That is the practice in the House.

**Deputy Michael Healy-Rae:** Is it okay to say he told an untruth?

**Acting Chairman (Deputy Joanna Tuffy):** That is not acceptable.

**Deputy Michael Healy-Rae:** Well he did.

**Acting Chairman (Deputy Joanna Tuffy):** The Deputy knows that is not acceptable.

**Deputy Michael Healy-Rae:** He did, but he withdrew it afterwards.

**Acting Chairman (Deputy Joanna Tuffy):** Is the Deputy going to withdraw the charge?

**Deputy Michael Healy-Rae:** If the Chair wants me to withdraw it. He did do it, but I will withdraw the charge if the Chair wants me to.

**Acting Chairman (Deputy Joanna Tuffy):** I want the Deputy to withdraw it.

**Deputy Michael Healy-Rae:** I withdraw it, but he did do it. I want to thank him — I was not here at the time — for his apology at the time and his correction of what he stated, which was incorrect.

I support the Bill before us. The hard pressed motorists of Ireland will look at us tonight to see who will do the right thing and vote for the proposal put forward by Deputy Dooley.

**Deputy Timmy Dooley:** I welcome the opportunity to conclude this debate and I thank all who contributed. The majority of those who contributed, from all sides, made constructive suggestions. They recognised what I and the Fianna Fáil party are trying to achieve through this Bill. Some people sought to score political points and that is understandable.

We have all been contacted by motorists in recent weeks about the change in the price of oil and the continued increases. There are grave concerns in that regard and we recognise the impact the increases have on small businesses, the haulage sector and on hard pressed motorists, many of whom are put to the pin of their collar and many of whom find it difficult to put food on the table. It is not appropriate for a government to cast the issue aside and say it cannot look at it. Nor is it appropriate to say that it is on account of a spike in international oil prices and that people should suck it up and get on with it and that they have no choice but to accept it because we signed up to a protocol. I accept that previous governments signed up to the Manchester protocol. This was reaffirmed by the Minister. That was done when oil prices were much lower, when the economy had an element of growth and when things were going reasonably well.

People's backs are to the wall now and unless we are prepared to accept that and to recognise the impact the continued increase in international oil prices is having on them, we are learning nothing. The Minister said yesterday that Fianna Fáil was living with dreamland economics. I was somewhat chuffed by that, because the Minister reserves such comments for

9 o'clock

times when he is cornered on an issue to help him move beyond the situation. Notwithstanding that, if the Minister believes that, I suggest he was somewhat in dreamland last week when he came into the House and explained on a Topical Issue matter that the increased VAT yield was somewhat of a misnomer. When speaking about the yield from VAT per litre of fuel, he said that VAT is set as a percentage of the price increase as the price of fuel increases. However, he went on to say that in this regard it should be borne in mind that to the extent that spending in the economy is reallocated to petrol and other oil products and away from other VAT spending, and to the extent that the overall level of economic activity is reduced by higher oil prices, there may be little or no net gain to the Exchequer.

The Minister studied mathematics and surely the converse is also true, that a reduction in tax on oil will increase the spend in other areas of the economy, with little or no reduction in the take to the State. I believe a reduction in tax would generate income in a more labour intensive area of the economy, particularly in the retail sector, and that it would have a much greater benefit to the economy. This belief is not just based on the converse argument. The Minister may be familiar with a study carried out in the United Kingdom by the Fair Fuel Campaign. That study indicated that a 2.5 p reduction in the price of a litre of oil would see an increase of 0.32% in GDP in the first year and 0.34% over five years.

I am not suggesting there is a direct correlation between the two economies as they are somewhat different in character but when those figures are extrapolated it shows a gain of €750 million in GDP. A few people in this House were confused as to how we might pay for it. In my view, that would pay for it as there is a stimulus component as well as the increase in VAT which the Minister of State, Deputy John Perry, last night, seemed to indicate that there was no potential increase in the VAT based on the increase in the base price. However, he said in the House the previous week that the gain is in excess of €1 million per week, due to the

increase in VAT. Last night he tried to wriggle out by saying it was said in response to a remark from the other side of the House. He is good at telling people what they want to hear. These were his own words and I wish to correct the record of the House so that we are all clear.

I am disappointed that Deputy Tom Hayes is not in the House because he accused me of having a brass neck and he proposed me for an end of the year award. Deputy Hayes has some brass neck himself because he fails to recognise what my good friend, Deputy Michael Healy-Rae had said, that the Taoiseach when he was on this side of the House said he was disappointed that the then Taoiseach, Brian Cowen, did not have an initiative with regard to the mix of excise duties and VAT to ensure that they are not used as a further battering ram against the hard-pressed motorist. Deputy Hayes seems to have changed his mind so I am not really sure where he stands on what the Taoiseach said when in opposition. I am not really sure where he stood during a debate between Deputy Richard Bruton and Deputy Enda Kenny either but maybe it is obvious now.

I acknowledge the good support my Bill has received from most of the Sinn Féin Deputies who spoke last night and who clearly understood the issue——

**Deputy Michael Noonan:** I would worry about that.

**Deputy Timmy Dooley:** Unfortunately, Deputy Tóibín did not. He is clearly upset that a new Fianna Fáil Front Bench might look at a problem in a different way when circumstances are different, when oil prices are higher. Fianna Fáil did increase tax at a time when it was possible to do so, when the base price was much lower and at a time when when fuel was much cheaper. However, that does not preclude us from understanding that when prices sky-rocket it is necessary for the Government to intervene. Deputy Tóibín seems to believe that my colleagues and I are bound to the history of our party. I have news for him; we will address the situation as we see it at a particular time and we will bring forward proposals that are appropriate ——

**Deputy Jonathan O'Brien:** I will second the brass neck award.

**Deputy Timmy Dooley:** ——and I argue that Deputy Tóibín should listen to seasoned politicians like Deputy Ó Caoláin and many others in Sinn Féin who understand that. He was the only one who failed to grasp the issue from our perspective. He even lectured Deputy McCarthy when he suggested to him that he should get a copy of a book which is readily available in Easons called, *Constitutional Politics for Idiots*. Deputy McCarthy did not over-react but I suggest that Deputy Tóibín should pick up a copy of that book the next time he is in Easons and understand how constitutional politics work.

In conclusion, I recommend that he pick up a few more books in Easons and perhaps he could trace back his own party history before he starts lecturing me or my front bench on where we stand or what we did in the past. I have great respect for the people who have walked a different path in Sinn Féin and are now embracing constitutional politics. There are some very fine people there. It ill behoves Deputy Tóibín to come in here and score cheap political points by firing scuds at us. He would be as well moving away from the firing of scuds now and get down to working on behalf of the people who elected him and elected us. We will bring forward appropriate policies as we see fit to meet the needs of the Irish people and we will not spend our time looking back. I am not suggesting that he or his party should either. They have a mandate just like we have and we have a mandate to work constructively for the Irish people. I also reject this notion that somehow we are being populist. If I wanted to be populist on fuel prices I would have gone for 50 cent or for more but I did not. We brought forward a worked solution, one which is self-financing and will help in a small way at a time when oil prices are in extreme circumstances. The Labour Party has a problem with this because

[Deputy Timmy Dooley.]

it largely represents urban communities where they have public transport. Deputy Kevin Humphreys referred to the populism of Fianna Fáil. He has a Luas, the DART and a bus garage in his constituency. There are many constituencies that do not have the same access to public transport and I would much prefer if he was prepared to recognise that he has a mandate to represent all the people of Ireland and not just those in his constituency.

Question put:

The Dáil divided: Tá, 45; Níl, 86.

Tá

Adams, Gerry.  
Boyd Barrett, Richard.  
Browne, John.  
Calleary, Dara.  
Collins, Joan.  
Collins, Niall.  
Colreavy, Michael.  
Crowe, Seán.  
Daly, Clare.  
Donnelly, Stephen S.  
Dooley, Timmy.  
Ellis, Dessie.  
Ferris, Martin.  
Flanagan, Luke 'Ming'.  
Fleming, Sean.  
Fleming, Tom.  
Grealish, Noel.  
Halligan, John.  
Healy, Seamus.  
Healy-Rae, Michael.  
Kelleher, Billy.  
Kirk, Seamus.  
Kitt, Michael P.

Lowry, Michael.  
Mac Lochlainn, Pádraig.  
McConalogue, Charlie.  
McDonald, Mary Lou.  
McGrath, Finian.  
McGrath, Mattie.  
McGrath, Michael.  
McGuinness, John.  
McLellan, Sandra.  
Martin, Mícheál.  
Ó Caoláin, Caoimhghín.  
Ó Cuív, Éamon.  
Ó Fearghaíl, Seán.  
Ó Snodaigh, Aengus.  
O'Brien, Jonathan.  
O'Dea, Willie.  
Ross, Shane.  
Smith, Brendan.  
Stanley, Brian.  
Tóibín, Peadar.  
Troy, Robert.  
Wallace, Mick.

Níl

Bannon, James.  
Barry, Tom.  
Breen, Pat.  
Broughan, Thomas P.  
Burton, Joan.  
Butler, Ray.  
Buttimer, Jerry.  
Byrne, Catherine.  
Byrne, Eric.  
Carey, Joe.  
Coffey, Paudie.  
Collins, Áine.  
Conaghan, Michael.  
Connaughton, Paul J.  
Conway, Ciara.  
Coonan, Noel.  
Corcoran Kennedy, Marcella.  
Costello, Joe.  
Coveney, Simon.  
Creed, Michael.  
Daly, Jim.  
Deenihan, Jimmy.  
Doherty, Regina.  
Donohoe, Paschal.  
Dowds, Robert.  
Doyle, Andrew.  
Durkan, Bernard J.

English, Damien.  
Farrell, Alan.  
Feighan, Frank.  
Fitzgerald, Frances.  
Fitzpatrick, Peter.  
Flanagan, Charles.  
Flanagan, Terence.  
Griffin, Brendan.  
Hannigan, Dominic.  
Harrington, Noel.  
Harris, Simon.  
Hayes, Tom.  
Humphreys, Heather.  
Humphreys, Kevin.  
Keating, Derek.  
Keaveney, Colm.  
Kehoe, Paul.  
Kelly, Alan.  
Kenny, Seán.  
Lynch, Ciarán.  
Lyons, John.  
McCarthy, Michael.  
McEntee, Shane.  
McFadden, Nicky.  
McHugh, Joe.  
McLoughlin, Tony.  
Maloney, Eamonn.

Níl—*continued*

Mathews, Peter.  
 Mitchell O'Connor, Mary.  
 Mulherin, Michelle.  
 Murphy, Dara.  
 Murphy, Eoghan.  
 Nash, Gerald.  
 Neville, Dan.  
 Nolan, Derek.  
 Noonan, Michael.  
 Nulty, Patrick.  
 Ó Ríordáin, Aodhán.  
 O'Donnell, Kieran.  
 O'Donovan, Patrick.  
 O'Dowd, Fergus.  
 O'Mahony, John.  
 O'Sullivan, Jan.

Penrose, Willie.  
 Perry, John.  
 Phelan, Ann.  
 Reilly, James.  
 Ring, Michael.  
 Ryan, Brendan.  
 Shortall, Róisín.  
 Spring, Arthur.  
 Stagg, Emmet.  
 Stanton, David.  
 Timmins, Billy.  
 Tuffy, Joanna.  
 Varadkar, Leo.  
 Wall, Jack.  
 Walsh, Brian.  
 White, Alex.

Tellers: Tá, Deputies Dara Calleary and Seán Ó Fearghaíl; Níl, Deputies Emmet Stagg and Paul Kehoe.

Question declared lost.

### Social Welfare and Pensions Bill 2012: Committee Stage (Resumed)

#### SECTION 4

Question again proposed: "That section 4 stand part of the Bill."

**An Ceann Comhairle:** Deputy Ó Snodaigh was in possession. Have you completed your contribution?

**Deputy Aengus Ó Snodaigh:** I have completed my contribution.

**An Ceann Comhairle:** Does the Minister wish to reply?

**Minister for Social Protection (Deputy Joan Burton):** No. I believe I have contributed sufficiently.

Question put:

The Dáil divided: Tá, 83; Níl, 46.

Tá

Bannon, James.  
 Barry, Tom.  
 Breen, Pat.  
 Burton, Joan.  
 Butler, Ray.  
 Buttimer, Jerry.  
 Byrne, Catherine.  
 Byrne, Eric.  
 Carey, Joe.  
 Coffey, Paudie.  
 Collins, Áine.  
 Conaghan, Michael.  
 Connaughton, Paul J.  
 Conway, Ciara.  
 Coonan, Noel.  
 Corcoran Kennedy, Marcella.

Costello, Joe.  
 Coveney, Simon.  
 Creed, Michael.  
 Daly, Jim.  
 Deenihan, Jimmy.  
 Doherty, Regina.  
 Donohoe, Paschal.  
 Dowds, Robert.  
 Doyle, Andrew.  
 Durkan, Bernard J.  
 English, Damien.  
 Farrell, Alan.  
 Feighan, Frank.  
 Fitzgerald, Frances.  
 Fitzpatrick, Peter.  
 Flanagan, Charles.

Tá—*continued*

Flanagan, Terence.  
 Griffin, Brendan.  
 Harrington, Noel.  
 Harris, Simon.  
 Hayes, Tom.  
 Humphreys, Heather.  
 Humphreys, Kevin.  
 Keating, Derek.  
 Keaveney, Colm.  
 Kehoe, Paul.  
 Kelly, Alan.  
 Kenny, Seán.  
 Lynch, Ciarán.  
 Lyons, John.  
 McCarthy, Michael.  
 McEntee, Shane.  
 McFadden, Nicky.  
 McHugh, Joe.  
 McLoughlin, Tony.  
 Maloney, Eamonn.  
 Mathews, Peter.  
 Mitchell O'Connor, Mary.  
 Mulherin, Michelle.  
 Murphy, Dara.  
 Murphy, Eoghan.  
 Nash, Gerald.

Neville, Dan.  
 Nolan, Derek.  
 Noonan, Michael.  
 Ó Ríordáin, Aodhán.  
 O'Donnell, Kieran.  
 O'Donovan, Patrick.  
 O'Dowd, Fergus.  
 O'Mahony, John.  
 O'Sullivan, Jan.  
 Penrose, Willie.  
 Perry, John.  
 Phelan, Ann.  
 Reilly, James.  
 Ring, Michael.  
 Ryan, Brendan.  
 Shortall, Róisín.  
 Spring, Arthur.  
 Stagg, Emmet.  
 Stanton, David.  
 Timmins, Billy.  
 Tuffy, Joanna.  
 Varadkar, Leo.  
 Wall, Jack.  
 Walsh, Brian.  
 White, Alex.

Níl

Adams, Gerry.  
 Boyd Barrett, Richard.  
 Broughan, Thomas P.  
 Browne, John.  
 Calleary, Dara.  
 Collins, Joan.  
 Collins, Niall.  
 Colreavy, Michael.  
 Crowe, Seán.  
 Daly, Clare.  
 Dooley, Timmy.  
 Ellis, Dessie.  
 Ferris, Martin.  
 Flanagan, Luke 'Ming'.  
 Fleming, Sean.  
 Fleming, Tom.  
 Grealish, Noel.  
 Halligan, John.  
 Healy, Seamus.  
 Healy-Rae, Michael.  
 Kelleher, Billy.  
 Kirk, Seamus.  
 Kitt, Michael P.

Lowry, Michael.  
 Mac Lochlainn, Pádraig.  
 McConalogue, Charlie.  
 McDonald, Mary Lou.  
 McGrath, Mattie.  
 McGrath, Michael.  
 McGuinness, John.  
 McLellan, Sandra.  
 Martin, Micheál.  
 Murphy, Catherine.  
 Nulty, Patrick.  
 Ó Caoláin, Caoimhghín.  
 Ó Cuív, Éamon.  
 Ó Fearghaíl, Seán.  
 Ó Snodaigh, Aengus.  
 O'Brien, Jonathan.  
 O'Dea, Willie.  
 Ross, Shane.  
 Smith, Brendan.  
 Stanley, Brian.  
 Tóibín, Peadar.  
 Troy, Robert.  
 Wallace, Mick.

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

Question declared carried.

## SECTION 5

**An Ceann Comhairle:** Amendments Nos. 9 and 10 are consequential on amendment No. 11, therefore, amendments Nos. 9 to 11, inclusive, will be taken together by agreement.

**Deputy Joan Burton:** I move amendment No. 9:

In page 5, line 8, to delete “section 178A(7)” and substitute “section 178C”.

The Bill provides for the age limit of the youngest child for receipt of one parent family payment to be reduced to age 12 in 2012, age ten in 2013 and age seven in 2014 for new lone parent claimants. It is standard practice when introducing such changes to put in place transitional arrangements for existing claimants for a period. This ensures that existing claimants are given notice of the change and are not abruptly affected. At the same time, from an administrative efficiency point of view, it is not feasible to have different claimants on the same scheme being treated in a different manner for an indefinite period. The reduction in the age limit is being applied to new and existing claimants on a phased basis and will not affect existing claimants until 2013. Existing claimants will not be impacted by the age seven limit until 2015.

Section 5 provides for this in respect of existing customers. I will set out how these new arrangements will apply. They will depend on whether the person’s one-parent family payment claim was made prior to 27 April 2011, between 27 April 2011 and May 2012, or after May 2012. If the claim commenced before 27 April 2011, payment will continue until the age of 18 in 2012, until the age of 17 in 2013, until the age of 16 in 2014 and until the age of seven in 2015. If the claim commenced between 27 April 2011 and May 2012, payment will continue until the age of 14 in 2012, until the age of 12 in 2013, until the age of ten in 2014 and until the age of seven in 2015. If the claim commences after May 2012, payment will continue until the age of 12 in 2012, until the age of ten in 2013 and until the age of seven in 2014. If the person has an entitlement to one-parent family payment based on the age of the youngest child in his or her family, the increased payment in respect of a qualified child will continue for the older children in the family until they reach the age of 18, or 22 if they are in full-time education.

Special provisions have been put in place for people who are in receipt of domiciliary care allowance. In such cases, one-parent family payment will continue to be paid while the domiciliary care allowance is payable for the child in question. At present, the allowance is payable until the child reaches the age of 16, at which point he or she can claim disability allowance in his or her own right. Special provisions have also been put in place for the recently bereaved. In such cases, the one-parent family payment will be payable for two years from the date of the death of the spouse, partner or cohabitant, or until the youngest child reaches 18 years of age.

**Deputy Sean Fleming:** I listened with interest to what the Minister had to say in her final remarks on these amendments. She was probably referring to an issue I raised earlier. I note that some subsequent amendments deal with what we said about what happens in the event of the death of a parent. I am trying to get my head around this. As I understand it, under the arrangement the Minister has put in place, if a parent dies and the child is within two years of the relevant age at the relevant date, the family can continue to receive this payment. I might have suggested earlier that this will kick in next week. I think the Minister said it will not kick in next week for 12 and 13 year olds. I think I am right in saying it will definitely kick in on 1 January 2013, however. The mother or father of a child who is 13 would have been affected by this change next week if this arrangement had not been made. The Minister has made provision for children who are within two years of the relevant age at the relevant date. This exemption will ensure such people are not caught next week.

I am interested in what will happen on 2 January 2013, which is just seven months away, by which time the relevant age will be ten. On that date, 13 year old children will no longer be within two years of the relevant age on the relevant date. I think I am right when I say that next year, a person who is 13 this year will not be within two years of the relevant age, which

[Deputy Sean Fleming.]

will be ten from 1 January next. Therefore, the provision the Minister is including in the Bill will not affect such a family. Am I right when I say my understanding is that a person whose marriage has ended and who needs to make a new claim, having been in full-time employment up to now, but who is not entitled to jobseeker's benefit or any other benefit payment, will be affected by this problem from 2 January 2013 if he or she has a child aged 13? The Minister will appreciate that we are on our feet without being able to access advisers or legal interpretation. She mentioned that her Department has spent a year on this matter. I want to get my head around three or four sections in this major amendment, which runs to over three pages. Am I right in what I have said? I think the Minister understands my question about next January. Is my understanding correct?

**Deputy Joan Burton:** Generally speaking, many people in such circumstances would be survivors. I refer to widows and surviving cohabitants, etc., under the rules. At the moment, some 82% of one-parent family payment recipients are Irish. Some 18% of payments are made to non-nationals. In the circumstances, perhaps they might be more affected by this. Many Irish people would be widows, widowers, surviving cohabitants or surviving participants in civil partnerships.

**Deputy Sean Fleming:** Is the Minister saying that such a person would be in receipt of a survivor's pension?

**Deputy Joan Burton:** Yes, if they have contributions.

**Deputy Sean Fleming:** I thought that people in that category — those who are traditionally referred to as widows — were moved onto the one-parent family payment. I am not sure of the title, but I thought they were on——

**Deputy Joan Burton:** I will try to get more detailed statistics for the Deputy.

**Deputy Sean Fleming:** I expect that the official with the Minister followed the point I made about what will happen from next January.

**Deputy Joan Burton:** I accept the point the Deputy is making about next January.

**Deputy Sean Fleming:** Okay.

**Deputy Joan Burton:** I am saying that the statistics we have suggest that the number of people who will be affected by that will be relatively small. I have mentioned that it is worth bearing in mind in this context that approximately 82% of lone parents are Irish nationals, but 18% or 19% of them are not.

**Deputy Sean Fleming:** Yes.

**Deputy Joan Burton:** People in the latter group might be more likely not to have contributions for survivor status under our regulations relating to widows etc. That is particularly true if they moved to this country when their children were already quite old. It would depend on the circumstances. A significant number of lone parents in our system are not Irish — they came to Ireland from other countries.

**Deputy Sean Fleming:** Can the Minister give us details of the new claimants who will be affected by the new regime that will come into effect next Thursday, 3 May 2012? Can she describe a typical new claimant who will be caught by this change? It is obvious that next week's changes will have an impact. Who are we talking about? Who are the people who will be affected? Can the Minister give me an example?

**Deputy Joan Burton:** It will affect people who come into a lone parent situation after that date and all of whose children are above the relevant age. The average duration of a one-parent family payment is 6.1 years. Of those receiving the payment, 10% of them have been doing so for one year or less, 13% have been doing so for between one and two years, 28% have been doing so for between two and five years, 12% have been doing so for between five and seven years and 37% have been doing so for seven years or more. The number of people who have been in receipt of this payment for a long period of time is very high. Therefore, most of them will not be affected by these changes until later in the transition period.

**Deputy Sean Fleming:** Yes.

**Deputy Joan Burton:** People who are entirely new to the system will be affected next week. I remind the Deputy, in response to his query, that a significant cohort of the 92,000 lone parents in this country do not come from Ireland. As I have said, approximately 18% of payments are made to non-Irish nationals. British nationals are the single largest group within the non-national category. As the Deputy knows, some of those people migrated into the UK from elsewhere before moving to Ireland. I would not like to say what the insurance status of those who migrate the Ireland after next week might be. When people come to Ireland, in some cases they can step relatively quickly into our lone parent system. However, they might not have built up the kind of entitlements I have mentioned.

**Deputy Sean Fleming:** The Minister mentioned 92,000 a few times and the phrase “become financially independent”. Does she know how many one-parent family units are not in receipt of any payment because they would not pass the means test? I know many people with reasonably paid jobs——

**Deputy Joan Burton:** Absolutely.

**Deputy Sean Fleming:** Does the Minister have any idea how many are in the category to which I refer? She should state the number in case somebody believes from the debate over the past three days that every lone parent is getting a payment.

**Deputy Joan Burton:** Not at all.

**Deputy Sean Fleming:** I know there would not be many in the category.

**Deputy Joan Burton:** The CSO statistics do not capture what the Deputy is seeking. I contend, conservatively, that the figure runs to tens of thousands. As the Deputy says, many young parents are in good employment and do not claim any allowances at all. The Deputy is absolutely correct in that regard.

I do not know how the CSO statistics are compiled. The Deputy may look at some of the statistics on women in employment and our own unemployment statistics. There are over 80,000 people doing part-time work, some of whom, but not all, are probably lone parents. I could not say whether they are collecting any payment. I do not have the exact statistics.

When I was involved in the Department’s current development, the critical point raised was that there are really positive outcomes for those who become lone parents at a really young age if they stay connected to education and training and continue therein almost as soon as maternity leave is over. Such people’s outcomes, in terms of financial independence, are really strong. They are probably just the same as those of everybody else if they stay on at school and go to college.

The back-to-education allowance is available. There are many supports. Under certain courses, the VECs have child care. There are just under 3,000 child care places within the VEC and FETAC structures. There are many provisions that strongly encourage lone parents to

[Deputy Joan Burton.]

continue with education. Statistics show the average period for which people avail of the lone-parent's allowance is 6.1 years. Some end up availing of the allowance for a very long period. These are the people we would like to connect to education and training as early as possible. In practice, education and training may qualify them most to get a job.

**Deputy Sean Fleming:** The Minister referred to young people in education. What age must a person be to qualify for the payment? A young girl of 14 or 15 may have a child. Most allowances, other than the disability payment, which is available at the age of 16, are payable at 18. What happens the 14 and 15 year olds?

**Deputy Joan Burton:** There is actually no minimum age. I have no knowledge of the relationship status. Since our system was introduced, it has always been very supportive. In the early 1990s, a person who received a lone-parent's allowance had to stay at home and do nothing, even if a parent or older sister was available to help with child care. The first move was to encourage very young lone parents to stay connected to education. As the Deputy probably knows, schools are really supportive of this all over the country. I am delighted to say families are enormously supportive. Education is the key to leaving the scheme and being financially independent. Ireland has been quite successful in that respect. Education is the key. If one leaves it early, it is often quite difficult to resume later. Getting back into education can involve a difficult process. There are not many very young lone parents and there is no lower age limit. I am thankful that the numbers are not as high in the very young age group as they used to be. I do not have the statistics to hand.

**Deputy Aengus Ó Snodaigh:** I was interested in the exchange and the figures. Much of these were dealt with when discussing the last amendment. The amendment before us logically follows the acceptance of the previous section but it also reinforces the point we were making.

The intention of the Minister is to reduce a child's age of eligibility for the one-parent family payment from 14 to seven. Given her comments, we would have liked to have seen a transitional timetable for the delivery of the additional supports, particularly after-school supports, that have been mentioned.

This amendment follows on from the last section. I am still none the wiser as to what occurred in the past year that merited the proposed change. A year and a half ago or two years ago, we debated a Government Bill to reduce an age of eligibility from 18 to 14. I am none the wiser as to why, two years later, we must lower the age to seven, given that there are no cost implications. Why move at the speed suggested? There is usually a more gradual reduction when introducing such a substantial change.

If one's claim started before 27 April 2011, the eligibility age will reduce by one year at a time until 2014, in which year it will drop from 16 to seven. If one's claim started between 27 April 2011 and 3 May 2012, the eligibility age will reduce each year in the period 2012 to 2015 from 14 to 12 to ten to seven. This seems quite gradual.

I mentioned earlier that the change allowed for in respect of the voluntary contribution amendments was gradual, or over 15 years. It is coming into effect as of now. This is usually the type of approach taken. The drop for existing applicants is substantial, as if the Minister wanted the whole process to be finished by 2015.

Progress reported; Committee to sit again.

The Dáil adjourned at 10 p.m. until 10.30 a.m on Thursday, 26 April 2012.

## Written Answers.

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**The following are questions tabled by Members for written response and the ministerial replies as received on the day from the Departments [unrevised].**

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*Questions Nos. 1 to 9, inclusive, answered orally.*

### **Social Welfare Benefits**

10. **Deputy Seán Crowe** asked the Minister for Social Protection her views on the fact that community welfare officers have been refusing to award fathers, who have shared custody of their children, rent supplement for anything more than a one bedroom flat which effectively denies them their right to family life; and is she will issue a memo to community welfare officers directing them to award rent supplement for the appropriate number of rooms to ensure that fathers with shared custody can have overnight access to their children. [20600/12]

**Minister for Social Protection (Deputy Joan Burton):** The purpose of the rent supplement scheme is to provide short-term support to eligible people living in private rented accommodation whose means are insufficient to meet their accommodation costs and who do not have accommodation available to them from any other source. The overall aim is to provide short term assistance, and not to act as an alternative to the other social housing schemes operated by the Exchequer. There are currently approximately 95,000 persons in receipt of rent supplement, with €436m provided for in 2012.

Every claim for rent supplement is determined having regard to the particular circumstances of the applicant. Persons seeking a rent supplement must first satisfy the Department that they have a housing need that they are unable to meet from their own resources. In addition, the Department must be satisfied that the residence is reasonably suited to the residential and other needs of the claimant. The Department must also be satisfied that the rent payable is reasonable having regard to the nature, character and location of the residence.

In a case where parents have joint custody of a child, the needs of both parents to have adequate accommodation to look after the child are taken into account when an application for a rent supplement is being determined. In such cases, documentation is normally required showing that a joint custody arrangement is in place and is being availed of before a decision can be made. The fact that one parent is in receipt of rent supplement would not in itself preclude the other parent from being entitled to assistance towards his/her rent.

### Social Welfare Code

11. **Deputy Mary Lou McDonald** asked the Minister for Social Protection her plans in response to the finding of the report, *Person or Number?*, that habitual residence conditions continues to fail to be applied fairly. [20599/12]

**Minister for Social Protection (Deputy Joan Burton):** I was very pleased to launch the report *Person or Number?* in February and I welcome the research undertaken by Crosscare, Doras Luimní and Nasc into difficulties experienced by some migrants in their dealings with the Department. The report makes a number of recommendations and the Department is considering these. In particular, the recommendation that the Department establishes a Migrant Consultative Forum is one that I said we would pursue in an effort to address the issues raised in the report. The Department will do this shortly.

In order to ensure fair application of the habitual residence condition (HRC), since its introduction some 144 staff at local offices and 1,000 former community welfare staff have been trained on habitual residence. In June 2011 new HRC guidelines were produced which take into account recent developments in case-law (both national and international). The Department also published a supplement which gives example scenarios of how the condition is applied. These guidelines are available on the Department's website and were circulated to all relevant staff within the Department.

The Department operates an independent appeals service where a client can bring his or her case if she/he is not satisfied with the decision. In addition, the Department's Decisions Advisory Office provides advice and assistance to decision makers in order that decisions made on social welfare claims, including decisions on HRC, are consistent and of good quality and that customers are notified of decisions in a form which is clear and understandable.

The Department is committed to providing a quality service to all its clients and to ensuring continuous improvements in the standard of service it provides. Reports such as this one help direct the Department to where improvements may be needed.

### Legislative Programme

12. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Social Protection if she will provide an indicative time frame for the production and passage of a Gender Recognition Bill. [20597/12]

**Minister for Social Protection (Deputy Joan Burton):** Since the publication of the Report, the Department have been engaged in discussions with the relevant medical health professionals and with representatives from interested NGOs. The Department has also sought advice from the Office of the Attorney General on the main issues arising in the context of these meetings. These discussions, and the advice that is received from the Office of the Attorney General, will continue to inform the drafting of the Heads of a Bill.

The Government Decision also provides for the consultation with the GRAG in the context of the drafting of the Heads and I will be doing this when advice is received from the Office of the Attorney General.

It is not possible to be definitive at this stage about when I will be in a position to introduce legislation to give legal recognition to the acquired gender of transgender persons as the issues are complex. However, I hope that the drafting of the Heads of a Bill will be completed by June of this year.

### Social Welfare Benefits

13. **Deputy Barry Cowen** asked the Minister for Social Protection the number of persons under the age of 25 years that are refused as a result of the means tested income eligibility of their parents if they are living at home in relation to application for jobseeker's allowance; and if she will make a statement on the matter. [20552/12]

**Minister for Social Protection (Deputy Joan Burton):** Where a person who is under 25 years of age is living with a parent or step-parent in the family home, an assessment is made of the yearly value of any benefit and privilege enjoyed by that person by virtue of residing with a parent or step parent. The value of the benefit and privilege assessed is based on the level of the parents' income. The information requested by the Deputy is not collated by the Department. However, I am informed that during the period January to March 2012, 366 applications for jobseeker's allowance from persons under the age of 25 were disallowed on the grounds that the applicant's means were deemed to be in excess of the prescribed limits. A further 151 applications disallowed on the grounds that the applicants failed to disclose their means to the Department. In both cases, the means in question relate to all means, including any income the applicants may have had in their own right, and not just those assessed as a result of parental income.

The following table provides a breakdown of these disallowances on a monthly basis:

	Means in Excess	Means Not Disclosed	Total
January	118	59	177
February	133	54	187
March	115	38	153
Totals	366	151	517

14. **Deputy Pat Deering** asked the Minister for Social Protection the number of recipients that are paid pensions, social welfare, unemployment assistance, occupational payments, disability benefit, children's allowance and all other payments at the Post Office in Lucan Village, Dublin; if her attention has been drawn to the fact that the post office ran out of money leaving entitled citizens without payments and that recipients may have to queue for up to an hour; the provision that can be made to deal with this major health and safety issue; if her attention has been further drawn to the fact that, on occasions, the Gardaí have to assist with the queuing system; and if she will make a statement on the matter. [20339/12]

19. **Deputy Terence Flanagan** asked the Minister for Social Protection the number of recipients that are paid pensions, social welfare, unemployment assistance, occupational payments, disability benefit, children's allowance and all other payments at the Post Office in Lucan Village, Dublin; if her attention has been drawn to the fact that the post office ran out of money leaving entitled citizens without payments and that recipients may have to queue for up to an hour; the provision that can be made to deal with this major health and safety issue; if her attention has been further drawn to the fact that, on occasions, the Gardaí have to assist with the queuing system; and if she will make a statement on the matter. [20340/12]

26. **Deputy Anthony Lawlor** asked the Minister for Social Protection the number of recipients that are paid pensions, social welfare, unemployment assistance, occupational payments, disability benefit, children's allowance and all other payments at the Post Office in Lucan Village, Dublin; if her attention has been drawn to the fact that the post office ran out of

[Deputy Anthony Lawlor.]

money leaving entitled citizens without payments and that recipients may have to queue for up to an hour; the provision that can be made to deal with this major health and safety issue; if her attention has been further drawn to the fact that, on occasions, the Gardaí have to assist with the queuing system; and if she will make a statement on the matter. [20341/12]

30. **Deputy Derek Keating** asked the Minister for Social Protection the number of recipients that are paid pensions, social welfare, unemployment assistance, occupational payments, disability benefit, children's allowance and all other payments at the Post Office in Lucan village; if her attention has been drawn to the fact that the Post Office ran out of money leaving entitled citizens without payments and that recipients may have to queue for up to an hour; the provision that will be made to deal with this major health and safety issue; if her further attention has been drawn to the fact that, on occasions, the Gardaí have to assist with the queuing system; and if she will make a statement on the matter. [20396/12]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 14, 19, 26 and 30 together.

The Department is committed to providing a high quality service to our customers. It offers a range of payment options to customers which include payment at the post office of the customer's choice. Alternatively, most customers, other than those in receipt of jobseeker's payments, can choose to be paid into either a bank or building society account or to certain credit unions that have been authorised by the banking and credit union regulators.

The Department currently issues approximately 2,200 payments to the post office in Lucan village on a weekly basis and a further 590 on monthly basis. The number of customers involved is not readily available as customers may be collecting more than one payment, for example jobseeker's allowance and child benefit.

While the Department is the largest retail customer for post offices overall, An Post also provide agency services for a large number of other companies including the delivery of front line banking services, foreign exchange and the payment of a range of utility bills etc. However, An Post has advised that due to an exceptionally heavy volume of business in week-ending 3 September, 2011, Lucan post office experienced a greater demand for cash than usual. As a consequence, the postmaster was concerned that he might not be able to deal with all customers, including welfare customers, pending receipt of a further cash delivery from An Post. He therefore asked a small number of customers if they would agree to delaying the collection of their entitlements. The payments to customers were not refused. Additional cash deliveries were made by An Post to Lucan post office on Saturday 3 September and again on Monday 5 September. An Post has advised that the ten to twelve social welfare customers who were not dealt with on the Friday or Saturday had their payments effected by the following Monday. The Department has engaged with An Post to ensure that all our customers are paid on their due date and An Post has given assurances that measures have been put in place to ensure that this will not happen again.

As the Deputy can appreciate, for security reasons, it is important to ensure that excess cash is not unnecessarily held in its offices. It is also important that An Post offices have at all times an adequacy of cash to meet the needs of its customers. This involves on-going active management of cash at its offices. With regard to the availability of funds at the post office in Lucan, An Post has confirmed that Lucan post office never ran out of money.

With regard to queuing times at Lucan post office on Fridays, An Post monitors queuing times in post offices across its retail network on an ongoing basis. This monitoring is carried

out by an independent multinational research company. An Post has confirmed that it is not aware of any customers having to queue for up to an hour.

An Post is not aware of any health and safety concerns at Lucan and advise that it is extremely vigilant in relation to these matters. An Post has also confirmed that there have been no queuing incidents whereby Garda presence was requested or required at Lucan post office. The Department was made aware of delays on Friday 23 December when longer queues developed at Lucan post office. The Deputies will appreciate that this was one of the busiest days of the year for all businesses and commercial bodies. As all banking and financial institutions were closing for the Christmas period for up to five days, the queues experienced at post offices were exceptional as they were throughout a range of other financial institutions. The Department has been advised that no Garda presence was requested or required to manage queues. However, we understand the Gardaí were in the vicinity as part of their own operational deployment that day and advised people waiting for service in the post office that pickpockets were active in the locality and of the need to be vigilant.

An Post and the Department have taken a number of measures to address the large numbers of customers receiving payments on Fridays. The process of changing payment days is complex and must be managed closely to ensure customer service is not interrupted. Work was undertaken to move some 240 customers who normally received payments at Lucan post office on a Friday to Tuesday. I understand this change in payment day has had a very positive effect on the queuing times for DSP payments in Lucan post office on each Friday. In addition, Lucan post office has extended its opening time to 8:00 a.m. on Fridays with a view to catering for customers.

I would like to assure the Deputies that the Department will continue to work closely with An Post to ensure that together, we provide a high quality service to our customers, and in particular to monitor any issues emerging in Lucan.

*Question No. 15 answered with Question No. 7.*

### **Social Welfare Code**

16. **Deputy Richard Boyd Barrett** asked the Minister for Social Protection if she will explain her rationale for changing the jobseeker's payment from six a day a week to over a five day a week in view of the fact that it will act as a disincentive to work; and if she will make a statement on the matter. [20628/12]

102. **Deputy Anthony Lawlor** asked the Minister for Social Protection the reasons, as effective from July 2012, the level of payment for a part time worker in receipt of jobseeker's benefit will be based on a five day week rather than the current six day week, but that this new rule will not apply to part time workers in receipt of jobseeker's allowance whose payment will remain based on six days; and if she will make a statement on the matter. [20672/12]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 16 and 102 together.

In the last four years the numbers in receipt of a jobseeker's payment who are also working on a part-time or casual basis has increased by almost 200%. At the end of March 2012 there were some 84,118 people in this situation on the Live Register and some 41,008 of these were claiming jobseeker's benefit.

In line with other Budget measures the effect of this measure will not impact on any person whose sole income is from social welfare. It will only apply to those who have earned additional income from working some days during the week.

[Deputy Joan Burton.]

The effect of this measure will be to reduce the contribution from jobseeker's benefit to the weekly amount of total income and help towards a reduction in the reliance on the welfare system among those who currently avail of a mix of welfare and earned income. As a savings measure, the change will reduce costs within the jobseeker's benefit scheme but the scheme will continue to deliver incentives towards additional employment for part-time and casual workers. It is important to note that the measure applies to jobseeker's benefit only and that recipients of jobseeker's benefit may opt for jobseeker's allowance, which is subject to a means test.

Entitlement to jobseeker's benefit is based, *inter alia*, on the claimant being unemployed for three days in any period of six days with benefit being paid at a flat rate, irrespective of earnings. Jobseeker's allowance is also based on satisfaction of "three in six" criteria but entitlement is thereafter determined by reference to weekly means. Therefore the jobseeker's allowance scheme takes account of the earnings of part-time and casual workers, via means reduction in respect of any day in which they have earnings from employment.

### **Social Welfare Benefits**

17. **Deputy Derek Keating** asked the Minister for Social Protection if her attention has been drawn to the fact that the voice message on the telephone regarding applications for disability allowance is stating that applications are taking up to 17 weeks before they will be processed; if her attention has been drawn to the fact that appeals are taking from six months for written appeals and up to 12 months for oral appeals (details supplied); and if she will make a statement on the matter. [20395/12]

25. **Deputy Pat Deering** asked the Minister for Social Protection if her attention has been drawn to the fact that the voice message on the telephone regarding applications for disability allowance is stating that applications are taking up to 17 weeks before they will be processed; if her further attention has been drawn to the fact that appeals are taking from six months for written appeals and up to 12 months for oral appeals; and if she will make a statement on the matter. [20347/12]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 17 and 25 together.

The average time taken to award an application for disability allowance in 2011 was 17 weeks. The average time taken to award an application for disability allowance in the first quarter of 2012 is not currently available, as claims are being processed on both a new system and the old system since the beginning of February 2012.

Entitlement to disability allowance is based on satisfying medical, means and residency conditions. In determining entitlement to the allowance there are, in certain cases, unavoidable time lags involved in making the necessary investigations and enquiries to enable accurate decisions to be made. Certain claims have to be sent to social welfare investigators for means investigations and this can add to the overall processing times. These claims are often complex and can take time to investigate. Delays can also arise if people applying for the allowance are not in a position to supply all the necessary information in support of their claim at the time of application. In addition, factors outside the department's control can have an impact, for example, the supply of relevant information by the customer, employers or other third parties.

A major service delivery modernisation project is currently underway to address the increase in the claim-load and to improve the efficiency of administration of the disability allowance

scheme. This involves the development of information technology functions and associated business process re-organisation. 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. In addition temporary staff have been deployed to reduce the backlog and waiting times.

The cadre of medical assessors (complement of posts) is 27 which includes a Chief Medical Advisor and a Deputy Chief Medical Advisor. There are currently 4 vacancies arising from recent retirements. The Public Appointments Service is currently advertising for new medical assessors and the closing date for applications is 9 May. It is expected that the selection process will commence soon thereafter.

The current average time to process disability allowance appeals decided by summary decision is 32.3 weeks and 40.7 weeks for oral appeals. 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 Department 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. In an effort to reduce the appeal processing times, the Department appointed 12 additional appeals officers between 2010 and 2011. In addition, a further 10 appeals officers, formerly employed by the Community Welfare Services (CWS) of the Health Services Executive, joined the Social Welfare Appeals Office (SWAO) as part of the integration of the CWS. This brought the total number of appeals officers to 39. In addition to this, the SWAO has improved its business processes and IT support.

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 that Office and, overall, to reduce the processing times for dealing with appeals.

*Question No. 18 answered with Question No. 7.*

*Question No. 19 answered with Question No. 14.*

### **Departmental Staff**

20. **Deputy Robert Troy** asked the Minister for Social Protection the numbers of retirements in her Department since March 2011; the total number of staff currently employed by her Department; the total amount spent on wages on contract workers and permanent workers respectively; the number of new staff employed, temporary or permanent; and if she will make a statement on the matter. [20574/12]

**Minister for Social Protection (Deputy Joan Burton):** A total of 345 staff have retired from my Department since March 2011. There are currently 6,855 permanent staff serving in the Department, equating to 6,443 posts. The figure requested in relation to the amount of wages spent on contract and permanent staff is not readily available and will be forwarded separately to the Deputy.

Since March 2011 some 180 critical vacancies have been filled by way of redeployment or lateral transfer of staff from other Government Departments and agencies. In addition, temporary staff are recruited by the Department to cover absences of permanent staff on maternity leave, long term sick leave, other statutory leave and also to provide cover for some staff availing of the shorter working year scheme. Temporary contracts are offered for a fixed pur-

[Deputy Joan Burton.]

pose and the term can vary according to the purpose of the contract. There were 516 temporary staff employed during the period in question. There are currently 177 temporary staff employed in the Department.

As the Deputy will be aware, there is currently a moratorium on recruitment in the Civil Service. However, the Department received sanction from the Department of Public Expenditure and Reform to recruit qualified doctors to perform the role of Medical Assessors, and three Medical Assessors have been appointed since March 2011.

### Social Welfare Benefits

21. **Deputy John McGuinness** asked the Minister for Social Protection the current waiting lists for welfare claims in her Department; the measures she has taken to address this issue; and if she will make a statement on the matter. [20565/12]

35. **Deputy Denis Naughten** asked the Minister for Social Protection the steps she is taking to address the delays in processing contributory and non-contributory applications; and if she will make a statement on the matter. [20626/12]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 21 and 35 together.

The Department is committed to ensuring that claims are processed as expeditiously as possible. As is apparent from the data in the following table, schemes that require a high level of documentary evidence from the customer, particularly in the case of illness related schemes, can take longer to process. Similarly, means-tested payments can also require more detailed investigation and interaction with the applicant, thereby lengthening the decision process. As part of the Department's programme of service delivery modernisation, a range of initiatives aimed at streamlining the processing of claims, supported by modern technology, have been implemented in recent years. Operational processes, procedures and the organisation of work are continually reviewed to ensure that processing capability is maximised.

The staffing needs of the Department are regularly reviewed, having regard to workloads and the competing demands arising, to ensure that the best use is made of all available resources. The Department will continue to source available staff to fill critical vacancies by way of redeployment, or transfer from within the Department and other government departments, taking account of the employment control framework (ECF) target, as determined by the Department of Public Expenditure and Reform.

Since May 2008, some 990 staff have been assigned to the Department to fill critical vacancies and additional posts allocated to deal with the increased volume of claims. Taking into account the numbers of staff who have left the Department and the vacancies that exist currently, a net total of 226 additional staff have been assigned to the Department. The Department also makes judicious use of overtime and employs temporary staff as appropriate to address particular service issues as they arise.

The following table sets out detailed information on the claim processing times and performance achieved across the wide range of schemes in the Department:

Table 1: Claim processing target times and performance, January-March 2012

Scheme type:	2012 Claims target 90% processed by	2012 (January-March) Percentage of claims processed within target
State Pension (contributory)	due date	92%

Scheme type:	2012 Claims target 90% processed by	2012 (January-March) Percentage of claims processed within target
State Pension (transitional)	6 wks	79%
State pension (non-contributory)	10 wks	59%
Widow(er)'s Pension (contributory)	6 wks	91%
Widow(er)'s Pension (non-contributory) pension and one parent family payment (widow)	10 wks	51%
One Parent Family	10 wks	44%
Household Benefits	4 wks	90%
Bereavement Grant	4 wks	96%
Invalidity Pension	6 wks	8%
Family Income Supplement — New Claims	6 wks	11%
Disability Allowance	12 wks	30%
Carer's Benefit	n/a	n/a
Carer's Allowance	12 wks	n/a
Jobseeker's Benefit	3 wks	82%
Jobseeker's Allowance	6 wks	76%
Illness Benefit	1 wk	81%
Occupational Injury Benefit — Interim Illness Benefit	1 wk	84%
Maternity Benefit	due date	97%
Child Benefit — Domestic — EU	4 wksn/a	79%
Domiciliary Care Allowance	7 wks	62%
Back to Education Allowance		Applicants for BTEA are already in receipt of another social welfare payment before a decision is made on their entitlement to the Allowance.

22. **Deputy Jerry Buttimer** asked the Minister for Social Protection if she has any methods in place for checking if recipients of rent allowance are paying the rent due to their landlord; when the rent is not being paid if there is any facility to pay rent allowance directly to the landlord; if there are any direct consequences for the person withholding the rent allowance payment; and if she will make a statement on the matter. [20342/12]

**Minister for Social Protection (Deputy Joan Burton):** The purpose of rent supplement is to provide short-term support to eligible people living in private rented accommodation, whose means are insufficient to meet their accommodation costs and who do not have accommodation available to them from any other source. There are currently approximately 95,000 persons in receipt of rent supplement, with €436m provided for in 2012. Under the relevant Social Welfare legislative provisions, the Department's relationship is with the tenant; the tenant makes the application for rent supplement and payment is made to the tenant. Rent supplement is specifically for the benefit of tenants to assist them with their accommodation needs.

Legislation does however provide for the making of a rent supplement payment to another person on behalf of the recipient, at the tenant's request and with the consent of the Department. Almost 20,000 (21%) rent supplement payments are made to a person other than the rent supplemented tenant, for example to a relative, a landlord or landlord's agent.

As part of the Department's ongoing review of rent supplement claims, landlords are given an opportunity to bring to the attention of the Department situations where a tenant has fallen into arrears with their rental payments. In addition, it is open to any landlord to bring to the

[Deputy Joan Burton.]

attention of the Department any instance where a tenant is receiving rent supplement but is not paying the rent. Where an officer becomes aware that a person receiving rent supplement is not using that supplement to meet housing costs, payment of the supplement is suspended and the matter investigated. Where a landlord has a grievance in relation to the non-payment of rent by a tenant, s/he may apply to the Private Residential Tenancies Board to have the dispute resolved through the board's dispute resolution process.

### Child Care Services

23. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection the level of additional funding or number of additional affordable places she considers that equates with a credible and bankable commitment on the delivery of relevant childcare precipitating her willingness to implement the reduction of the one parent family payment cut off age to seven. [20594/12]

**Minister for Social Protection (Deputy Joan Burton):** The one-parent family payment (OFP) has played an important role in providing income support to lone parents. Total expenditure on this scheme will be some €1.06 billion this year. Changes have been made to the payment since its introduction in 1991, reflecting the changes taking place in society, the labour market and the expectations and realities of parents' lives, and particularly of mothers, in terms of work and care. These reforms continue that change. They recognise parental choice with regard to the care of young children, while, at the same time, having an expectation that parents will not remain outside of the workforce indefinitely. They aim to provide the necessary supports to lone parents to participate in education and training, to develop their skills, and to enter or move in the labour market and, ultimately, to achieve financial independence. The Social Welfare and Pensions Bill, 2012, introduces changes to the structure of the payment and the age of the youngest child at which the payment ceases. These changes are being brought in over time. I have acknowledged that reforming the OFP will require a whole of Government response. I am engaging with the Minister for Children and Youth Affairs and the Minister for Education and Skills to have a co-ordinated, cross-departmental approach to ensuring that the required level of services are in place to support lone parents as their youngest child reaches the relevant age thresholds.

Discussions have already taken place at official level between officials from my Department and from the Department of Children and Youth Affairs with regard to the development of a policy framework around after-school care, and, in the short-term, the assessment of the extent of the current provision of such care, the costs of such care to parents, and the demand for such services from lone parents.

### Departmental Staff

24. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when she expects to be in a position to avail of the extra necessary staff, perhaps from other Departments, to assist with the work of eliminating ongoing backlogs and delays associated with the processing of claims for all levels of social welfare payments; the extent to which this issue is likely to be addressed in the short to medium term; and if she will make a statement on the matter. [20638/12]

**Minister for Social Protection (Deputy Joan Burton):** The staffing needs of my Department are regularly reviewed, having regard to workloads and the competing demands arising, to ensure that the best use is made of all available resources. The Department will continue to

source available staff to fill critical vacancies by way of redeployment, or transfer from within the Department and other Government Departments, taking account of the employment control framework (ECF) target, as determined by the Department of Public Expenditure and Reform. Since May 2008, some 990 staff have been assigned across the Department to fill critical vacancies and additional posts allocated to deal with the increased volume of claims. Taking into account the numbers of staff who have left the Department and the vacancies that exist currently, a net total of 226 additional staff have been assigned to the Department.

*Question No. 25 answered with Question No. 17.*

*Question No. 26 answered with Question No. 14.*

### **Social Welfare Benefits**

27. **Deputy Gerry Adams** asked the Minister for Social Protection her views on whether it is fair that her Department would use a sixteen year old's disability allowance as grounds to reduce their mother's rent allowance in view of the fact the family lived in local authority accommodation and that any income of her child would be disregarded prior to the age of 18; the consequence of which is that the family are worse off financially than when they received DCA up until they were 16 despite the rising costs of disability as a teenager gets older. [20598/12]

**Minister for Social Protection (Deputy Joan Burton):** The purpose of Rent Supplement is to provide short term income support to assist with reasonable accommodation costs of eligible people living in private rented accommodation who are unable to provide for their accommodation costs from their own resources and who do not have accommodation available to them from another source. There are currently approximately 95,000 persons in receipt of rent supplement, with €436m provided for in 2012. Rent Supplement is normally calculated to ensure that a person, after the payment of rent, has an income equal to the rate of supplementary welfare allowance (SWA) appropriate to their family circumstances less a minimum contribution which recipients are required to pay from their own resources. The weekly minimum contribution is €30 for a single adult household and €35 for coupled households. Many recipients pay more than this amount because recipients are also required, subject to income disregards, to contribute any additional assessable means that they have over and above the appropriate basic SWA rate towards their accommodation costs.

Legislation provides that where a person, other than a qualified adult or a qualified child of the claimant, resides with the claimant, the designated officer deciding the claim shall reduce the amount of the supplement payable, by such amount, which in the opinion of that officer, is reasonably attributable to that other person.

The Department has previously advised staff administering the scheme that where a household consists of a non-dependent household member who is only in receipt of a Social Welfare payment, then the contribution payable toward the rent by that person should be €30 per week.

*Question No. 28 answered with Question No. 7.*

### **Departmental Funding**

29. **Deputy Thomas P. Broughan** asked the Minister for Social Protection if she will review the decision to cut funding to a addiction prevention service (details supplied) in Dublin 17 in view of the fact that the organisation has already had to cut some of its successful programmes including its horticulture programme and that it also lost a third of its grant from the Department of Education and Skills three years ago; the level of funding that will be provided for the

[Deputy Thomas P. Broughan.]

same organisation in view of the fact that it is are currently unable to budget for upcoming programmes; and if she will make a statement on the matter. [20344/12]

**Minister for Social Protection (Deputy Joan Burton):** A financial review has been requested of all Community Employment (CE) schemes. It is anticipated that CE schemes will see a reduction in the level of grant aid allocated in respect of materials and training in 2012 as funding will be allocated according to the needs of the participants and the project circumstances. The purpose of the review is to establish the level of need and this review should be completed in the near future. This review will provide a clear picture of the core funding required for each scheme. This will assist the Department in ensuring a fair distribution of the funding available for these schemes.

In addition, the Department is undertaking a separate review of the effectiveness of a range of employment supports including Community Employment Schemes. The outcome of these reviews will inform the overall approach to be taken by the Department and ultimately determine future policy.

Assurances have been given to community and voluntary organisations that no Community Employment scheme will close pending the completion of this review. The review outcomes are being compiled at present and all projects will be contacted regarding same in the near future.

*Question No. 30 answered with Question No. 14.*

### **Social Welfare Benefits**

31. **Deputy Catherine Murphy** asked the Minister for Social Protection the way decisions in relation to the awarding of domiciliary carer's allowance are made by her Department; if there is scope to change the time the allowance may be awarded from currently two years to a period which may reflect the medical need of the child and the probability that their condition is not going to change in the short to medium term; the number of domiciliary carers allowances currently being awarded; the number of cases relating to the former which are under review by her Department, the average time that appeals are taking to be processed; and if she will make a statement on the matter. [20350/12]

36. **Deputy Richard Boyd Barrett** asked the Minister for Social Protection in view of the recent review of those in receipt of the domiciliary care allowance, the number of children that have been left without this support; and if she will make a statement on the matter. [15128/12]

99. **Deputy John Halligan** asked the Minister for Social Protection in view of the recent review of those in receipt of the domiciliary care allowance, the number of children that have been left without this support; and if she will make a statement on the matter. [15131/12]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 31, 36 and 99 together.

Domiciliary care allowance (DCA) is a monthly payment to the parent or guardian of a child under the age of 16 with a disability so severe that the child requires care and attention and/or supervision substantially in excess of another child of the same age.

Eligibility for DCA is not based primarily on the medical or psychological condition, but on the resulting lack of function of body or mind necessitating the degree of extra care and attention required. Each application is assessed on an individual basis taking account of the evidence submitted.

The Department's Medical Assessor (MA) will undertake the following into account before giving his/her opinion on whether the child meets the medical criteria:

- Review the history of the case.
- Consider all medical reports received.
- Have regard to the description of the care and attention required by the child as set out by the parent/guardian.

The time frame for reviewing the medical eligibility in each case is recommended by the medical advisor when the application is initially awarded. This can vary between 12 months and 5 years or a 'do not refer again' recommendation can be made depending on the potential for the care needs of the child changing over time.

A review policy is an integral part of all social welfare schemes and is necessary to ensure that payments continue to be made only to those customers who meet the qualifying conditions.

There are currently over 24,000 customers receiving DCA in respect of over 26,000 children. The average timeframe to process an application is 8 weeks. Processing times for appeals are currently 28 weeks for a summary hearing and 38 weeks when an oral hearing is held.

Since September 2011, 213 of the DCA claims reviewed have been found to no longer have an entitlement to the allowance and payment in these cases has been stopped. Any customer who has had their child's eligibility reviewed and is not happy with the outcome has the right to appeal the decision to the Social Welfare Appeals office.

*Question No. 32 answered with Question No. 7.*

### **Proposed Legislation**

33. **Deputy Denis Naughten** asked the Minister for Social Protection her plans to amend the Civil Registration Act 2004; and if she will make a statement on the matter. [20625/12]

**Minister for Social Protection (Deputy Joan Burton):** The general review of the provisions of the Civil Registration Act 2004 was completed in 2011. There are a range of issues to be considered in relation to the scope and implementation of any proposed changes to the provisions of this Act and some of these issues have cross-departmental implications, which need to be considered also. One of the main priorities of the review was to examine possible legislative solutions to the issue of marriages of convenience and consultations with other Departments in relation to this and other issues are on-going.

I will shortly seek the approval of the Government for the drafting of Heads of a Bill to implement the proposed changes and it is planned to have Heads ready for consultation as early as possible.

### **Departmental Functions**

34. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection the date on which she expects the rent supplement scheme to have been transferred from her Department to the Department of the Environment, Community and Local Government; the size of any additional moneys that will be allocated; and the implications for her plans to develop one stop shops. [20595/12]

**Minister for Social Protection (Deputy Joan Burton):** On 16th June 2011, the Minister for the Environment, Community and Local Government and the Minister for Housing and Planning

[Deputy Joan Burton.]

published a new housing policy framework statement. This framework statement reflects the content of the Programme for Government and sets out the principles to underpin the development of housing policy into the medium term. The framework statement specifically contains the announcement for the transfer of responsibility for providing housing needs for long term rent supplement recipients to housing authorities on a phased basis. The focus of this approach is to achieve a key Government commitment to remove barriers to employment, and at the same time, returning rent supplement to its original purpose of a short-term income support. There are currently approximately 95,000 persons in receipt of rent supplement, with €436m provided for in 2012. A multi-agency steering group has been established by the Department of Environment, Community and Local Government to give effect to this initiative and this group is currently developing proposals and operational protocols for the transfer of responsibility from the Department of Social Protection to housing authorities of persons who have long term housing requirements.

A commencement date for the new arrangements of 1st January 2013 has been approved by Government, subject to further consideration of the matter by it. Such consideration will include a detailed economic assessment of the proposal, the possibility of centralised management and reporting arrangements, any required amendments to Housing and Social Welfare legislation and consistency with overall expenditure ceilings for 2013 and 2014 set out in the Comprehensive Review of Expenditure Report. The consideration of an Exchequer neutral mechanism for funding and resourcing the proposed measure having regard to medium term expenditure targets will be examined. This transfer does not have any implication for the Department's plans to develop one stop shops for the delivery of its services.

As the Deputy will be aware, the new National Employment and Entitlements Service is being established which will integrate employment and benefit payment services within the Department and will be delivered from one stop shops. The first step in establishing the National Employment and Entitlements Service and one stop shops was integrating staff from FAS, the Community Welfare Service and the Department. The development of this new integrated service is a multi-annual programme of change within the Department and in how it provides its services.

*Question No. 35 answered with Question No. 21.*

*Question No. 36 answered with Question No. 31.*

### **Community Welfare Services**

37. **Deputy Thomas P. Broughan** asked the Minister for Social Protection if she will report on the proposed changes to the community welfare services at a location (details supplied) in Dublin 17 which will only deal with rent and mortgage interest supplement claims that were to come into effect from 16 April 2012; if she will also address community concerns at the ending of the general community welfare service at the location; and if she will make a statement on the matter. [20343/12]

**Minister for Social Protection (Deputy Joan Burton):** The changes to the delivery of community welfare services to which the Deputy refers came into effect from 16th April 2012. They form part of a wider reconfiguration of these services in the Swords/Coolock/Darndale area and are designed to maximise the effectiveness and efficiency of their operation. The backdrop to the changes is the reduction in the number of staff in the area and the primary objective of ensuring continuity of service in line with staff availability arising from leave (annual, maternity,

sickness, or for any other reason) which would otherwise negatively impact on the quality of service.

Heretofore, the full range of community welfare services were directly available from each of the two local health centres at Cromcastle Road, Coolock and Darndale. The centres are located less than a mile from each other. Individual officers provided the full range of services to all customers based on the specific geographical area within which each customer resides. This model of service delivery is predicated on the availability of staff to provide one-for-one cover in the event of absences and is no longer tenable in the area. The change which was introduced on 16th April saw a move away from this traditional model of one officer serving an individual location and delivering the full range of community welfare services, towards a sustainable team-based approach which is more efficient, effective and economical and which will guarantee continuity of service in the event of any future staff absences.

Two business units have now been established. The unit in Darndale deals with Rent and Mortgage Interest Supplement claims for the Coolock/Darndale area. The centre in Coolock delivers all other community welfare services. Each location is now being served by a number of officers operating a team-based approach. In addition to ensuring continuity of service, further efficiencies have been gained from centralising the functions.

The decision to centralise Rent and Mortgage Interest Supplement processing in Darndale and all other services in the health centre on Cromcastle Road, Coolock was based on the fact that the latter is the main community welfare service office in the area and has a greater capacity to accommodate the greater number of customers attending, in addition to providing the increased office space and facilities required by the staff. It is also located close to the social welfare local office which many customers are required to attend. The local office is scheduled to provide the National Employment and Entitlements Service later this year, and the reconfiguration of community welfare services will also facilitate this.

The Department is aware of the concerns that were felt by the community in advance of the reconfiguration. A number of officials recently met with local community representatives to hear and respond to those concerns first hand, and to explain the reasons for the change. Further meetings have been arranged by local management to further address some of issues raised.

### **Social Welfare Benefits**

38. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the extent to which she hopes to have an opportunity to undertake checks to eliminate hardship arising from decisions taken by her predecessor in respect of reductions in payment levels arising from the memorandum of understanding; if she expects to be in a position to address any emerging or further disadvantage in the case of Budget 2013; and if she will make a statement on the matter. [20637/12]

**Minister for Social Protection (Deputy Joan Burton):** I understand that the Deputy is referring to the reductions in the weekly rates of social welfare payments for people of working age, which were introduced by the last Government in Budgets 2010 and 2011. The Programme for Government contains a commitment to maintain social welfare rates. In Budget 2012, the Government endeavoured to protect the vulnerable and at the same time secure the long term financial viability of the social protection system. In this regard I was able to ensure that the primary weekly rates of social welfare were fully protected.

Given the scale of the fiscal crisis and given that spending on social protection accounts for nearly 40% of current Government expenditure, savings have to be found in the social welfare

[Deputy Joan Burton.]

system in Budget 2013. Any changes to the current rates of primary weekly social welfare payments will have to be considered in this context.

39. **Deputy Catherine Murphy** asked the Minister for Social Protection if she will confirm that changes to the awarding of rent supplement will be made in the near future; if she intends to change the system whereby, outside of Dublin, rent supplement rates are set on a county basis to a new system which will reflect the large differences in average market rents which exist within counties; if there is a timeframe for the delivery of any such planned changes; and if she will make a statement on the matter. [20349/12]

**Minister for Social Protection (Deputy Joan Burton):** The purpose of rent supplement is to provide short-term income support to eligible tenants 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 overall aim is to provide short term assistance, and not to act as an alternative to the other social housing schemes operated by the Exchequer. There are currently approximately 95,000 persons in receipt of rent supplement, with €436m provided in 2012. Rent Supplement is subject to a limit on the amount of rent that an applicant may incur. Rent limits are set at levels that enable eligible 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. While the maximum rent limits are generally set at county level, staff administering rent supplement have always had the authority to set levels lower than those provided for in regulations. This allows for lower rent levels to apply in certain locations within counties reflecting local market conditions.

I have no plans at present to change the way in which rent supplement is awarded.

### Departmental Expenditure

40. **Deputy Niall Collins** asked the Tánaiste and Minister for Foreign Affairs and Trade the amount spent on hair and make-up by his Department since February 2011; and if he will make a statement on the matter. [20694/12]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** My Department has not incurred any expenditure on hair and make-up during the period in question.

### Ministerial Transport

41. **Deputy Niall Collins** asked the Tánaiste and Minister for Foreign Affairs and Trade the amount spent by his Department on drivers and Ministerial transport since February 2011; and if he will make a statement on the matter. [20710/12]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** The table below provides the details of costs for drivers and ground transport for Ministers of State at my Department for the period in question. The sum includes severance payments that arose due to the change in Government in 2011. My Department currently employs two Civilian Drivers.

Ministerial transport costs, 1 February 2011 to 23 April 2012

	€
Driver salaries, including PRSI	156,331
Driver severance and redundancy payments	42,447

	€
Mileage payments to Ministers of State	31,686
Total	230,464

### Consultancy Contracts

42. **Deputy Niall Collins** asked the Tánaiste and Minister for Foreign Affairs and Trade the amount paid on external public relations and communications consultants; the name of each organisation used; and if he will make a statement on the matter. [20783/12]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** My Department does not engage external consultants for public relations purposes. From time to time consultants or companies with some communications experience are commissioned to provide services such as project management, logistics and event management. I am very conscious of the need to achieve value for money on all consultant expenditure and commissioning of such work is in full compliance with national and EU procurement regulations concerning tendering requirements. DHR Communications has been contracted since 2010 to manage and administer the Simon Cumbers Media Fund (SCMF) grants scheme. This involves managing two funding rounds each year, including through national and regional information workshops; managing and administering the application process; organising the judging process and providing detailed feedback to all applicants; processing grant payments and keeping detailed administrative and financial records; maintaining and updating the SCMF website and managing the pilot SCMF student competition. DHR was awarded a two year contract to 2012 and was re-engaged in February 2012 for a further two years following a competitive tendering process.

DHR provided short-term management support services for the Review of the White Paper on Irish Aid, including the logistical management of the nationwide public consultation activities. DHR also provided some support to the management of the Africa Day events.

The following table sets out fees and third party expenses paid to DHR Communications in 2011 and 2012:

Project and Event Management 2011-2012 (to date — April 2012)

Name of Company	2011	2012
DHR Communications	€82,794	€11,808

### Export Controls

43. **Deputy Maureen O'Sullivan** asked the Tánaiste and Minister for Foreign Affairs and Trade if his attention has been drawn to reports of a discovery of engine parts in a pilotless drone in the Nuba Mountains, Sudan, marked by an Irish Company (details supplied) which develops replacement carburettors and spare parts; if he has addressed the issue of Irish technology being used in the manufacturing of warfare and if he can address this in view of Ireland seeking election to the UN Human Rights Council next year; and if he will make a statement on the matter. [20861/12]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** I am aware of the reference in a recent television documentary that a component that appears to have been made in Ireland was part of an unmanned aerial vehicle that was used for military surveil-

[Deputy Eamon Gilmore.]

lance in Sudan. The position of the Government is very clear in relation to the conflict in the Nuba Mountains/Southern Kordofan region which was the subject of this documentary. We condemn unreservedly the use of aerial bombing by the Sudanese Government against the civilian population. We have consistently called for an end to hostilities and for inclusive dialogue between the Government and insurgents to resolve differences through peaceful means.

The situation in Sudan is a high priority for the European Union and was discussed again at the Foreign Affairs Council which I attended in Luxembourg on Monday, April 23rd. The Council repeated the EU's call for dialogue to resolve the conflict in southern Kordofan and the Blue Nile region.

Ireland is a strong supporter of United Nations and European Union initiatives aimed at restricting the flow of military equipment to Sudan and the Government is fully committed to compliance with these measures.

The Department of Jobs, Enterprise and Innovation is responsible for issuing licences in respect of exports of controlled goods and technology listed in the EU Dual Use Regulations and the EU Military List. I am informed that no licences have been issued in the past four years in respect of controlled technology intended for export to either Sudan or to the Sudanese authorities. The Department of Jobs, Enterprise and Innovation works in close co-operation with the Revenue and Customs Service to monitor trade with countries against which trade sanctions are in place.

I would be concerned if equipment manufactured in Ireland was being used by the military in operations against the civilian population. Last week, I asked my officials to bring these reports to the attention of the Department of Jobs, Enterprise and Innovation, which has undertaken to examine whether any restricted or sanctioned technology is involved. In particular, it will be important to clarify if the component apparently made in Ireland was a military or dual use item which would be subject to export control licensing, or a standard engineering component exported from Ireland which would not be subject to these conditions.

### Tax Reliefs

44. **Deputy Michael McCarthy** asked the Minister for Finance the amount that mortgage interest relief has cost the Exchequer in each of the past four years; the total number of persons who were approved for the relief in each year; and if he will make a statement on the matter. [20681/12]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the Revenue Commissioners that the cost to the Exchequer of mortgage interest relief by way of tax relief at source (TRS) and the associated number of claimants in the past four years 2008 to 2011 inclusive is as follows:

Tax Year	Numbers	Cost €m
2008	778,100	705
2009	782,700	486
2010	490,900	375
2011	488,000*	357

\*These figures are provisional and subject to revision.

Numbers are rounded to nearest hundred and costs are rounded to nearest million.

### Banking Sector Regulation

45. **Deputy Michael McCarthy** asked the Minister for Finance the total number of mortgages which are currently held by State owned banks; if he will provide a breakdown of the number of mortgages held by each bank, specifying the type of mortgage held and corresponding number of mortgage holders; and if he will make a statement on the matter. [20682/12]

**Minister for Finance (Deputy Michael Noonan):** Extensive and detailed information regarding mortgages held by the covered institutions is publicly available and can be found in the annual reports of each of the institutions concerned. Further disclosures, beyond these statutory requirements, are not given due to commercial and market sensitivity issues.

For convenience the internet links to the Annual Reports of the covered institutions is provided below:

Table

Bank of Ireland	<a href="http://www.bankofireland.com/fs/doc/publications/investor-relations/boi-annual-report-2012-web.pdf">http://www.bankofireland.com/fs/doc/publications/investor-relations/boi-annual-report-2012-web.pdf</a>
AIB	<a href="http://www.aib.ie/servlet/BlobServer/document.pdf?blobkey=id&amp;blobwhere=1332770825985&amp;blobcol=urlfile&amp;blobtable=AIB—Download&amp;blobheader=application/pdf&amp;blobheadername1=Content-Disposition&amp;blobheadervalue1=document.pdf">http://www.aib.ie/servlet/BlobServer/document.pdf?blobkey=id&amp;blobwhere=1332770825985&amp;blobcol=urlfile&amp;blobtable=AIB—Download&amp;blobheader=application/pdf&amp;blobheadername1=Content-Disposition&amp;blobheadervalue1=document.pdf</a>
IL&P	<a href="http://www.irishlifepermanent.ie/~media/Files/I/Irish-Life-And-Permanent/Attachments/pdf/2011/ar-2011.pdf">http://www.irishlifepermanent.ie/~media/Files/I/Irish-Life-And-Permanent/Attachments/pdf/2011/ar-2011.pdf</a>
IBRC	<a href="http://www.ibrc.ie/About—us/Financial—information/Annual—Report/Annual—Report—2011.pdf">http://www.ibrc.ie/About—us/Financial—information/Annual—Report/Annual—Report—2011.pdf</a>

### Departmental Expenditure

46. **Deputy Niall Collins** asked the Minister for Finance the amount spent on hair and make-up by his Department since February 2011; and if he will make a statement on the matter. [20693/12]

**Minister for Finance (Deputy Michael Noonan):** The amount spent on the matters specified by the Deputy was €50.

### Ministerial Transport

47. **Deputy Niall Collins** asked the Minister for Finance the amount spent by his Department on drivers and Ministerial transport since February 2011; and if he will make a statement on the matter. [20709/12]

**Minister for Finance (Deputy Michael Noonan):** The amount spent by my Department on drivers and Ministerial transport since February 2011 has been €122,903. This cost includes mileage (which is to cover car related expenses), the salaries paid to civilian drivers, travel and subsistence paid to the drivers and Employer PRSI contributions in respect of the two drivers. This amount is significantly below the €280,000 average annual cost under the previous domestic Ministerial transport regime for each Minister.

### Credit Union Regulation

48. **Deputy Michael Healy-Rae** asked the Minister for Finance the position regarding the closure of credit unions (details supplied); and if he will make a statement on the matter. [20717/12]

**Minister for Finance (Deputy Michael Noonan):** The Commission on Credit Unions submitted its Final Report to me on schedule at the end of March and it was published last week. The Report incorporates the recommendations of the Commission's Interim Report, published in October 2011, with regard to deposit protection, resolution, stabilisation, and liquidity. The key recommendations in the Final Report relate to restructuring, the proposed new legislative and regulatory framework, and new governance requirements for credit unions.

I welcome the Report and I have complimented the Commission on its in-depth analysis and far-reaching recommendations that will mark a fundamental turning point in the development of the credit union movement in Ireland.

Contrary to the reports referred to by the Deputy, the Commission does not recommend the closure of credit unions. A core recommendation is that the credit union sector should be restructured on a voluntary, incentivised and time-bound basis. The guiding aims of restructuring are: the protection of credit union members' savings; the stability and viability of credit unions and the sector at large; and the preservation of the credit union identity and ethos.

The Report states that the objective of the restructuring process is to provide the opportunity for stronger credit unions to develop a more sophisticated — and ultimately more sustainable — business model and provide a mechanism to sort through the financial stresses in the sector in an orderly way. The Report also points out that in the absence of a policy intervention to restructure credit unions, there is the risk that problems will unwind over an extended period and in a way that erodes member and public confidence in the sector and which increases the risk of costly resolutions and liquidations. However, the Commission does recommend that the resolution powers provided to the Central Bank under the Central Bank and Credit Institutions (Resolution) Act 2011 should be considered for those credit unions that meet the intervention conditions or grounds set out in that Act.

### **Budget Timetable**

49. **Deputy Alex White** asked the Minister for Finance if his attention has been drawn to a survey by the National Retail Industry Alliance which recommended rescheduling the Budget to February; his views on this recommendation; and if he will make a statement on the matter. [20719/12]

**Minister for Finance (Deputy Michael Noonan):** I have reviewed a submission from the National Retail Industry Alliance in relation to the rescheduling of the Budget that raise concerns about the impact of the current Budget timetable on consumer sentiment and Christmas trading volumes. While I have sympathy for their views, there are a number of contributing factors which act as a deterrent from attempting to alter the current Budget timetable.

Firstly, a draft EU regulation, which is part of the so-called "Two-Pack", envisages that all Member States will adopt their respective budgets by 31 December each year. This process would also require Member States to submit draft Budget Plans to the European Commission by 15 October each year to aid the consultation process. The current timetable fits with this draft requirement.

Secondly, in order to construct budgets that are underpinned by the best available data, it is necessary to wait until late in the year to finalise economic and fiscal forecasts. For example, most of our Corporation Tax receipts are received into the exchequer each year in November. Each month of extra macroeconomic data also helps to improve the accuracy of forecast that underpins the annual budget.

In relation to the Retail Industry, the Programme for Government states that the standard rate of VAT will not exceed 23%. This commitment should ensure greater certainty surrounding consumption decisions and limit sentiment affects relating to Christmas trading volumes.

### Promissory Notes

50. **Deputy Stephen S. Donnelly** asked the Minister for Finance if, in view of the arrangement on the March 2012 promissory note payment, if it is the case that, instead of borrowing the money for this payment from the Troika facility at 3.5%, the Government and State owned corporations will now be borrowing it at 2.35% from Bank of Ireland; if it is the case that Bank of Ireland could buy a comparable bond on the open market at higher rates; if this is the case, the reason Bank of Ireland will buy the bond to cover the promissory note payment; and the economic logic for same. [20772/12]

**Minister for Finance (Deputy Michael Noonan):** As the deputy is aware on 29th March 2012, I made the following statements on the matter to the Dail: “The €3.06 billion of programme funding that would otherwise have been used to make the promissory note payment should potentially allow greater flexibility around when and at what level Ireland returns to the capital markets.”

It is proposed that IBRC will enter into a repurchase agreement with Bank of Ireland at margin of 135bps above the ECB main refinancing rate which is currently 100bps. The troika funds continue to be available to the State at the appropriate funding levels.

The commercial terms and economic logic for proposed repurchase transaction between IBRC and Bank of Ireland is a matter for the board of directors of the respective banks. I note that the matter is subject to Bank of Irelands independent stockholder approval and I refer the deputy to the statement released by Bank of Ireland on the matter on 29 March 2012: “As the transaction is considered to be a related party transaction under the listing rules, it will be subject to independent stockholder approval. A circular containing additional details of the transaction and the date of the proposed extraordinary general court will be posted to stockholders once the circular has been approved by the UK listing authority and Irish Stock Exchange.”

### National Asset Management Agency

51. **Deputy Stephen S. Donnelly** asked the Minister for Finance if, in view of his statement in Dáil Éireann on 16 March that the money which we accessed for bridging finance from the National Assets Management Agency was money which is due to be repaid to the ECB for the loans it gave to NAMA to acquire the impaired assets in the bank; if he will confirm that this is the case; or if it is the case that the NAMA issued bonds are redeemable in 2020 and not before; if there is a discrepancy, or the appearance of one if he will explain same. [20773/12]

**Minister for Finance (Deputy Michael Noonan):** I presume the Deputy is referring to my statement to the Dáil on 29 March 2012. The money used by NAMA to facilitate a bridging transaction with IBRC and Bank of Ireland was generated from its own resources.

The ECB did not provide loans to NAMA to acquire assets from the participating institutions. NAMA issued senior notes to the participating institutions which can be extended annually subject to the agreement of the note holders. NAMA has already redeemed €1.25bn of these notes. I am advised that the objective of the NAMA board is to redeem all senior notes on a phased basis by the end of 2020.

### Tax Code

52. **Deputy John Lyons** asked the Minister for Finance further to Parliamentary Question No. 206 of 18 April 2012, if the Revenue Commission will update their website and information booklets to indicate that relief from motor tax and an entitlement to repayment of excise duty on fuel can still be offered to a qualifying person under disabled drivers and disabled passengers, tax concessions, regulations, even in a case where the full limit of vehicle registration tax and VAT has been claimed on the vehicle in question. [20774/12]

**Minister for Finance (Deputy Michael Noonan):** I am advised by the Revenue Commissioners that it is intended to conduct a review of material on the “Tax Relief Scheme for Drivers and Passengers with Disabilities” on the website and information booklets. Any necessary clarifications or amendments will be made. This review will be completed by the end of June.

### Consultancy Contracts

53. **Deputy Niall Collins** asked the Minister for Finance the amount paid on external public relations and communications consultants; the name of each organisation used; and if he will make a statement on the matter. [20782/12]

**Minister for Finance (Deputy Michael Noonan):** As clarified with the Deputy’s office, the question relates to the period since February 2011. My Department has not made any payments to public relations and communications consultants in the period from February 2011 to date.

### Banking Sector Regulation

54. **Deputy Robert Troy** asked the Minister for Finance if he will ensure that the banks, which are under the control of the State, are not refusing mortgages to persons with the means to repay them under small technical issues such as the estate not being taken in charge of by the council; and if he will make a statement on the matter. [20793/12]

**Minister for Finance (Deputy Michael Noonan):** Policy in relation to individual credit lending decisions in the covered banks is a matter for the management and board of those institutions. I have no role in the day-to-day commercial and operational decisions of the banks, which include these matters. These decisions are taken by the board and management of the institution. Notwithstanding the fact that the State is a significant shareholder in a number of these institutions, I must ensure that these banks are run on a commercial, cost effective and independent basis to ensure the value of the bank as an asset to the State, as per the Memorandum on Economic and Financial Policies agreed with the EU Commission, the ECB and the IMF. Relationship Frameworks have now been agreed that clearly define the nature of the relationship between me and each of these institutions. Those Frameworks were published on 30 March 2012 and can be found at: <http://banking.finance.gov.ie/presentations-and-latest-documents/>.

### National Asset Management Agency

55. **Deputy Pearse Doherty** asked the Minister for Finance if he will confirm that the National Asset Management Agency is not required to redeem its senior debt until 2020 and that NAMA is paying a rate of interest on its senior debt equal to the six month Euroibor rate; and if NAMA is entitled to invest its cash reserves in projects which support the Irish economy pursuant to sections 2 and 12 of the NAMA Act. [20799/12]

**Minister for Finance (Deputy Michael Noonan):** The ECB did not provide loans to NAMA to acquire assets from the participating institutions. NAMA issued Senior Notes to the Partici-

pating Institutions which can be extended annually subject to the agreement of the note holders. NAMA has already redeemed €1.25bn of these Notes. I am advised that the objective of the NAMA Board is to redeem all Senior Notes on a phased basis by the end of 2020. NAMA also advises me that it pays interest on its senior debt at the same rate as the six-month Euribor rate, which is reset in March and September. Under the NAMA Act 2009, NAMA may invest funds to protect or enhance the value of the collateral securing its loans. Where it considers that it makes commercial sense to do so, NAMA may advance funds to projects, including projects located in Ireland, under the control of its debtors or receivers.

56. **Deputy Pearse Doherty** asked the Minister for Finance of the 24 applications received for the National Asset Management Agency board appointment in March 2012, the date the last application was received. [20802/12]

**Minister for Finance (Deputy Michael Noonan):** The closing date for expressions of interest in appointment to the NAMA Board was 6 March 2012. I can confirm that 24 expressions of interest were received on that date. No further expressions of interest were received after that date.

#### **International Agreements**

57. **Deputy Pearse Doherty** asked the Minister for Finance if a copy of the bilateral agreement signed with Denmark, which is available from the Danish Parliament in Danish, can be made available here. [20827/12]

**Minister for Finance (Deputy Michael Noonan):** It is my understanding, following information received from our colleagues in the Danish Finance Ministry, that there is no Danish language version of the bilateral loan agreement with Denmark and that the loan agreement has not been published. The agreement was signed in English. I understand that Denmark's Standard Parliamentary Committee procedures were followed in this case and that the designated Parliamentary Committee obtained at the relevant time a short written briefing in respect of the loan agreement with Ireland. This note is similar to the press statement provided at the time by my Department, and which is available on the Department's website: <http://www.finance.gov.ie/viewdoc.asp?DocID=7196>. However, I do propose to lay the Danish bilateral loan agreement before the Houses as has already been done for the draft Swedish loan agreement.

#### **Consultancy Contracts**

58. **Deputy Thomas P. Broughan** asked the Minister for Finance if he will provide a list of external property consultants, surveyors and estate agents engaged by his Department for each of the past five years; and if he will make a statement on the matter. [20870/12]

**Minister for Finance (Deputy Michael Noonan):** My Department has not engaged any Property Consultants, Surveyors or Estate Agents in the past five years. Most of the buildings occupied by the Department of Finance are leased by the Office of Public Works.

#### **School Patronage**

59. **Deputy Brendan Smith** asked the Minister for Education and Skills the total cost of the work of the forum on patronage and pluralism; and if he will make a statement on the matter. [20652/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** As the Deputy will be aware, I officially launched the Forum on Patronage and Pluralism in the Primary Sector in April 2011. During the course of its work, the Advisory Group to the Forum conducted a number of public meetings and sought submissions. 215 written submissions were received initially and these were examined by the Advisory Group.

Public working sessions with the main stakeholder groups were held on 22, 23 and 24 June 2011 and a further plenary session was held on 17 November 2011. Following the November session a further 32 submissions were received. These working sessions were broadcast live over the Internet and recordings of the working sessions are available from the Department website, along with all the submissions received and other Forum documents. I published the Report of the Advisory Group to the Forum on Patronage and Pluralism in the Primary Sector on 10 April 2012. The total cost of the Forum to-date is €37,589. This figure includes the cost of printing the report and translation costs.

60. **Deputy Brendan Smith** asked the Minister for Education and Skills when he will begin carrying out parental surveys in the areas identified by the forum on patronage and pluralism; and if he will make a statement on the matter. [20653/12]

61. **Deputy Brendan Smith** asked the Minister for Education and Skills if he supports the recommendation in the report of the Advisory Group to the Forum on Patronage and Pluralism which recommends leaving stand alone schools alone and that a change of patronage should only be considered in areas in which there is a stable population and demand for diversity of schools; and if he will make a statement on the matter. [20654/12]

63. **Deputy Brendan Smith** asked the Minister for Education and Skills the progress made to date in arranging the transfer of school buildings from the church; and if he will make a statement on the matter. [20656/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions Nos. 60, 61 and 63 together.

The Deputy will be aware that I recently published the Report of the Advisory Group to the Forum on Patronage and Pluralism in the Primary Sector. The overarching aim of the Forum's work was to ensure that schools cater for diversity and ensure an inclusive and respectful environment for all their pupils. The Advisory Group have presented a comprehensive report and I am aware that some of the issues dealt with in the report are sensitive and need to be carefully examined. I have asked the education partners and interested parties to examine the report and take time to reflect on and digest the recommendations. I am considering the report's findings and recommendations and intend to outline my official response next month. As per the commitment in the Programme for Government, a White Paper on Pluralism and Patronage in the primary sector will follow.

### School Staffing

62. **Deputy Brendan Smith** asked the Minister for Education and Skills the number of minority faith schools that are affected by the decision to change the staffing schedule for schools with less than 86 pupils; and if he will make a statement on the matter. [20655/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The Government recognises that small schools are an important part of the social fabric of rural communities. They will continue to be a feature of our education landscape. However, this does not mean that small schools can stand still or never have their staffing levels changed to something that is more affordable

and sustainable for these difficult and challenging times. Around 73 small schools were due to lose a classroom teaching post in September 2012 as a result of this budget measure. This represents about 6% of all small schools. 65 of these schools are under catholic patronage and 8 are Church of Ireland schools. For constitutional reasons all schools are treated equally irrespective of the type of patronage.

The existing appeals process was expanded this year so that it was accessible to those small schools that were due to lose a classroom teaching post as a result of the budget measure. The first meeting of the Primary Staffing Appeals Board took place last week. 72 small schools submitted applications to the Appeals Board of which 6 were from Church of Ireland schools that were due to lose a classroom teaching post. 34 small schools (3 of which are Church of Ireland schools) had their appeals provisionally upheld by the Appeals Board on the basis of their projected increase in enrolments. The retention of the classroom teachers in these 34 schools is conditional on confirmation from the schools in September that their actual enrolments reach the required level. If the required level of enrolments is not in the schools in September then the classroom teaching posts will be automatically withdrawn and the teacher will be redeployed to another school. A summary outcome of the appeals is now published on my Department's website. Individual schools are being notified this week of the outcome of their appeals. A Value for Money examination of small schools has been carried out and my Department expects to publish the analysis and findings in the near future. I hope that this report will foster constructive engagement both in the Oireachtas and among all interested parties in looking at the challenges ahead and how best to make provision for primary education in rural and dispersed communities. How best to sustain provision for widely dispersed and small Protestant communities will present as a particular challenge particularly in any locality where enrolment in their schools is declining to single figures and amalgamation is not an option because there is no other school nearby. The Government is intent in fostering pluralism in school provision. Supporting minority churches in maintaining their schools is part of that policy and will inform how the Government approaches the outcome of the Value for Money Study.

My Department's officials will be working with schools and the relevant education partners to ensure that the teacher allocation and redeployment processes operate as efficiently as possible. In this regard the Department is in regular and on-going contact with the relevant management bodies for all primary schools.

*Question No. 63 answered with Question No. 60.*

### **Departmental Agencies**

64. **Deputy Brendan Smith** asked the Minister for Education and Skills if we may expect SOLAS to be fully established by the end of 2012; and if he will make a statement on the matter. [20657/12]

66. **Deputy Brendan Smith** asked the Minister for Education and Skills the kind of role industry will have in the new education and training authority SOLAS; if it will be given a formal role in overseeing course provision and content; and if he will make a statement on the matter. [20659/12]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** I propose to take Questions Nos. 64 and 66 together.

Following the Government Decision to create SOLAS, an Implementation Group was set up to establish SOLAS. I am chairing this Group and its membership includes representatives

[Deputy Ciarán Cannon.]

from the Department of Education and Skills, FÁS, the Irish Vocational Education Association and the Department of Social Protection.

The Group has been meeting regularly to drive the process forward. The Heads of a Bill have been approved by Government and have recently been referred to the Office of the Attorney General for drafting purposes.

Once SOLAS is established it will have strategic responsibility for the training currently delivered by FÁS and Skillnets and the further education currently delivered by VECs. SOLAS will ensure that further education and training programmes are more flexible and responsive to meet the particular needs of jobseekers and industry. As part of this process, courses and their curricula will be constantly reviewed to ensure that they are fully aligned to the skills needs identified by SOLAS, the NEES, the Expert Group on Future Skills Needs, and through direct contact with employers.

Given the complex elements involved, including enacting appropriate legislation, it is expected that the process of establishing SOLAS will be completed by the end of 2012.

### **FÁS Training Programmes**

65. **Deputy Brendan Smith** asked the Minister for Education and Skills if FÁS has carried out a review of all education and training courses on offer or if the review will take place after SOLAS has been formally established; and if he will make a statement on the matter. [20658/12]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** At present further education is delivered by the Vocational Education Committees while general training is delivered by FÁS Training Services. As part of its annual planning exercise to ensure that its courses, and the courses it procures, remain relevant to the needs of an evolving labour market and to the needs of its clients, FÁS reviews the training provision for which it has a mandate. This review is facilitated by its own National Skills Database, the work of the Expert Group on Future Skills Needs, and regular contact with the Department of Social Protection, together with information from a range of sources, including direct contact with employers, independent surveys on course outcomes, and national and international research on skills needs. Both in its training plan for 2011 and again this year (2012) FÁS have introduced significant numbers of new courses to address current and predicted future needs. Once SOLAS is established it will have strategic responsibility for the training currently delivered by FÁS and the further education currently delivered by VECs. The programmes will be integrated, flexible, value-for-money and responsive to the needs of learners and the requirements of a changed and changing economy. SOLAS will also ensure that further education and training programmes are more flexible and responsive to meet the particular needs of jobseekers and enterprise. As part of this process, courses and their curricula will be constantly reviewed to ensure that they are fully aligned to the skills needs identified by the EGFSN.

*Question No. 66 answered with Question No. 64.*

### **Graduate Statistics**

67. **Deputy Brendan Smith** asked the Minister for Education and Skills the number of computer science graduates expected in 2012; the number of computer science graduates in 2011 and 2010; and if he will make a statement on the matter. [20660/12]

68. **Deputy Brendan Smith** asked the Minister for Education and Skills the number of electronic engineering graduates expected in 2012; the number of electronic engineering graduates in 2011 and 2010; and if he will make a statement on the matter. [20661/12]

69. **Deputy Brendan Smith** asked the Minister for Education and Skills the number of graduates expected from honours degree ICT undergraduate programmes in 2012; the number of graduates from these courses in 2011, 2010 and 2009; and if he will make a statement on the matter. [20662/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions Nos. 67 to 69, inclusive, together.

The data requested is provided in the following Table. Graduate data is not yet available for 2011. However, recent CAO data shows that the number of students expressing a first preference for Science courses (including Computing) at honours degree level (level 8) increased by 18.47% this year and over the five year period 2008-12, by a total of 63.5%. The number of 1st preference Computer Science applications increased by 20% from 2011 to 2012. The continued increase in demand for science related undergraduate programmes evident in recent years is starting to feed through into increased graduate output. This is an extremely positive development in the context the very significant employment and career opportunities that will continue to emerge for science and technology graduates and the targets set out in the joint Government-Enterprise ICT Skills Action Plan which I launched in January.

Table 1 — Honours Bachelor Degree Graduates

	2007	2008	2009	2010
Computer Science	976	868	754	960
Electronic Engineering	392	273	328	481
Total ICT Graduates	1,368	1,141	1,082	1,441

### Information and Communications Technology

70. **Deputy Brendan Smith** asked the Minister for Education and Skills if he will provide an update on the implementation of the ICT action plan launched by him earlier this year; and if he will make a statement on the matter. [20663/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The ICT Action Plan outlines a range of short and medium term measures to develop a sustainable domestic supply of high quality ICT graduates to support the further expansion and development of the ICT sector and support innovation and growth across other sectors of the economy.

Since I published the Plan in January over 760 places have been made available on 17 new ICT conversion programmes in public, private and not for profit higher education institutions across the country. The programmes are highly intensive leading to an honours degree level award in computer science and include a work placement period with an industry partner of approx 3 months. Access is free of charge to participants and there has been strong demand from high quality applicants for places on the programmes. Further details are available at [www.bluebrick.ie](http://www.bluebrick.ie). Over 400 unemployed people are expected to complete Springboard programmes leading to awards at honours degree or masters level in ICT disciplines before the Summer and a new range of Springboard programmes for 2012 will also be launched in the coming weeks. The new high level ICT Foresight Group has been established with membership

[Deputy Ruairí Quinn.]

from the education and enterprise sector and other actions in the Plan are being progressed in line with the timeframes in the Plan.

### School Curriculum

71. **Deputy Brendan Smith** asked the Minister for Education and Skills the progress made to date in implementing junior certificate reform; and if he will make a statement on the matter. [20664/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The National Council for Curriculum and Assessment provided its advice to me on Junior Cycle Reform in late 2011. Since then, consideration has been ongoing in relation to the implementation of reform.

Reform will be introduced on a phased basis. All of the existing subjects are being continued, and Irish (except where there is an exemption), English and Mathematics will remain core subjects.

To start with, a revised syllabus in English will be implemented as a first step in the process, for students beginning junior cycle in 2014, for first examination in 2017. Groups of subjects will be implemented each year after that. Schools will also have the option of providing locally developed short courses of 100 hours, supported by exemplars developed by the NCCA.

A cap of 8 is being placed on the number of subjects which can be taken for examination purposes, to apply on a mandatory basis from the 2017 examination. Into the future, students will be able to take 8 subjects or 7 subjects with 2 short courses or 6 subjects and 4 short courses. Subjects will be assessed by means of a written examination set and marked by SEC, and a portfolio marked by the class teacher in the school, moderated by the school and subject to external moderation on a sample basis by SEC. Short course will be assessed in the school.

### FÁS Training Programmes

72. **Deputy Brendan Smith** asked the Minister for Education and Skills the number of apprenticeship training places currently on offer by FÁS; the breakdown of the types of training apprenticeships on offer and the take up of such apprenticeships; and if he will make a statement on the matter. [20665/12]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** The Standards Based Apprenticeship Programme is a demand led alternance training and education programme for employed apprentices.

I understand that based on previous years' experience, the anticipated total apprenticeship registration in 2012 is expected to be approximately 1,200.

The number of apprentices who have been registered by employers by trade in the three months to 31/3/2012 is 389 — see Appendix 1 by Family of Trade Group.

Appendix 1

Family of Trade Groups	Registration YTD 31/3/2012
<i>Construction</i>	
Brick and Stonelaying	2
Cabinetmaking	0
Carpentry and Joinery	24
Floor and Wall Tiling	1

Family of Trade Groups	Registration YTD 31/3/2012
Painting and Decorating	3
Plastering	3
Plumbing	21
Wood Machining	0
Wood Manufacturing and Finishing	4
Total:	58
<i>Electrical</i>	
Aircraft Mechanics	0
Electrical	118
Electrical Instrumentation	3
Electronic Security Systems	2
Instrumentation	0
Refrigeration and Air Conditioning	10
Total:	133
<i>Engineering</i>	
Mechanical Engineering and Maintenance Fitting (M.A.M.F)	56
Farriery	2
Industrial Insulation	1
Metal Fabrication	40
Sheet Metalworking	1
Toolmaking	5
Total:	105
<i>Motor</i>	
Agricultural Mechanics	7
Construction Plant Fitting	15
Heavy Vehicle Mechanics	7
Motor Mechanics	60
Vehicle Body Repairs	4
Total:	93
<i>Printing</i>	
Print Media	0
Total:	0
Overall Total	389

### Irish Language

73. **Deputy Michael McCarthy** asked the Minister for Education and Skills the number of pupils nationwide who have secured an exemption from sitting Irish for the leaving certificate this year; the total number of pupils who secured exemptions from Irish in each of the past

[Deputy Michael McCarthy.]

five years separately; the number of exempted pupils in 2012 who study a foreign language; and if he will make a statement on the matter. [20673/12]

74. **Deputy Michael McCarthy** asked the Minister for Education and Skills in respect of the rules set out in Circular M10/94, the number of pupils that receive an exemption under the following sections of part C: pupils who function intellectually at average or above average level but have a specific learning disability of such a degree of severity that they fail to achieve expected levels of attainment in basic language skills in the mother tongue; pupils who have been assessed as having a general learning disability due to serious intellectual impairment that is a mental handicap and are also failing to attain adequate levels in basic language skills in the mother tongue; pupils who have been assessed as having a general learning disability due to serious sensory impairment and are also failing to attain adequate levels in basic language skills in the mother tongue; if there are any plans to update this circular; and if he will make a statement on the matter. [20674/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions Nos. 73 and 74 together.

The information sought by the Deputy on exemptions from the study of Irish held by students in post-primary schools is not readily available. I have asked my officials to compile the information and to forward it to the Deputy as soon as it is available. The specific information sought by the Deputy regarding the breakdown of exemptions granted under the different categories of learning disability is not available as this information is not included in the returns made by post-primary schools to my Department. My Department is currently reviewing the circulars which deal with exemptions from the study of Irish in recognised primary (12/96) and post-primary schools (M10/94).

#### **Departmental Expenditure**

75. **Deputy Niall Collins** asked the Minister for Education and Skills the amount spent on hair and make-up by his Department since February 2011; and if he will make a statement on the matter. [20691/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** My Department has not incurred any expenditure on hair or make-up since February 2011.

#### **Ministerial Transport**

76. **Deputy Niall Collins** asked the Minister for Education and Skills the amount spent by his Department on drivers and Ministerial transport since February 2011; and if he will make a statement on the matter. [20707/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** In March 2011, the Government agreed new measures for Cabinet Ministers in relation to the provision of official transport to take effect from 1st May 2011. On my appointment as Minister from the 9th, March 2011 until the 30th, April 2011 I was provided with a state car. From the 1st, May 2011 in line with the revised procedures I have used my own car and I am provided with the services of 2 civilian drivers. The Minister of State at my Department has used his own car since his appointment.

The following tabular statement gives details of the total gross salary paid to the civilian drivers (including Employer's PRSI contribution), the amount of subsistence claimed by the driver to date and the payment of travel expenses to the Minister and Minister of State to date.

## Mr. Ruairí Quinn T.D, Minister for Education and Skills

Payment Type	Period	Amount
Civilian Drivers Salaries	May 2011 to March 2012	€73,885
Civilian Drivers' Subsistence	May 2011 to November 2011	€1,468
Minister's Travel Expenses	May 2011 to March 2012	€15,745

## Mr. Ciarán Cannon T.D., Minister of State

Payment Type	Period	Amount
Civilian Drivers Salaries	April 2011 to March 2012	€81,551
Civilian Drivers' Subsistence	April 2011 to April 2012	€11,791
Minister of State's Travel Expenses	March 2011 to February 2012	€21,466

**School Staffing**

77. **Deputy Michael McCarthy** asked the Minister for Education and Skills if he will provide an update on the pupil/teacher ratio for a school (details supplied) in County Cork; and if he will make a statement on the matter. [20718/12]

79. **Deputy John McGuinness** asked the Minister for Education and Skills if a resource teaching post will be allocated to a school (details supplied) in County Kilkenny; and if he will make a statement on the matter. [20757/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions Nos. 77 and 79 together.

The staffing arrangements for the 2012/13 school year are set out in Primary Circular 0007/2012 which is available on my Department's website. As part of the reforms to the teacher allocation process existing posts are being used to put in place a network of over 2,500 full-time resource posts in close to 1,700 base schools throughout the country. These posts will be allocated on a permanent basis and the teachers in them will undertake NCSE approved (low incidence) resource hours in the base schools or in neighbouring schools. This approach builds on the interim arrangements that operated in 2011 but in a more structured and transparent manner.

All schools have now received their resource teaching allocations for the current school year, based on the number of valid applications for resource teaching support received by the NCSE to 25th November, 2011, and taking into account my Departments Employment Control Framework obligations which limits the number of overall resource teaching posts which may be allocated to schools. Applications for resource teaching hours received after 25th November, 2011, will be processed by the NCSE in the context of the 2012/13 school year applications process. In the interim, schools should support pupils for whom new applications are being made from their existing resource teaching allocations, until revised allocations are made for the September 2012 school year. Where a pupil meets the criteria for Resource Teaching support, following diagnosis or enrolment to a school which does not have any existing allocation of resource teaching support, the NCSE may make an allocation for such pupils from the small pool of remaining posts which have been reserved for such emergencies or eventualities.

All schools have been asked to make applications to the NCSE for resource teaching support for the 2012/13 school year by 16th March, 2012. Schools will subsequently be advised by the

[Deputy Ruairí Quinn.]

NCSE of their allocation for the 2012/13 school year, based on the number of valid applications received. The staffing schedule also includes an appeals mechanism for schools to submit an appeal under certain criteria to an independent Appeals Board. Details of the criteria for appeal are contained in the staffing schedule, Circular 0007/2012.

The Primary Staffing Appeals Board met last week. A summary outcome of the appeals is now published on my Department's website. Individual schools are being notified this week of the outcome of their appeals. My Department's focus is on notifying schools of the outcome of their appeals and to implement the staffing arrangements for the coming school year. The final staffing position for all schools will ultimately not be known until the Autumn. At that stage the allocation process will be fully completed and all appeals to the Staffing Appeals Board will have been considered.

78. **Deputy John McGuinness** asked the Minister for Education and Skills the status of a submission made by a school (details supplied) in County Kilkenny, relative to staffing for the 2012/13 school year; and if he will make a statement on the matter. [20755/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The Primary Staffing Appeals Board met last week. A total of 367 schools submitted appeals to the Appeals Board. These appeals were considered in accordance with the appeals criteria set out in Department Staffing Circular 0007/2012. 205 schools had their appeals upheld by the Staffing Appeals Board. A summary outcome of the appeals is now published on my Department's website. Individual schools are being notified this week of the outcome of their appeals.

My Department's focus is on notifying schools of the outcome of their appeals and to implement the staffing arrangements for the coming school year. The final staffing position for all schools will ultimately not be known until the Autumn. At that stage the allocation process will be fully completed and all appeals to the Staffing Appeals Board will have been considered.

*Question No. 79 answered with Question No. 77.*

### **Consultancy Contracts**

80. **Deputy Niall Collins** asked the Minister for Education and Skills the amount paid on external public relations and communications consultants; the name of each organisation used; and if he will make a statement on the matter. [20780/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Since my appointment as Minister for Education and Skills in 2011, my Department has not made any payments to external public relations and communications consultants.

### **School Curriculum**

81. **Deputy Anthony Lawlor** asked the Minister for Education and Skills the reason there have been delays with regard to the development or investigative stage of e-portfolios being used for the junior certificate cycle; when he will be in a position to move forward with the concept of e-portfolios; and if he will make a statement on the matter. [20820/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I am happy to report to the Deputy that there has been no delay. The work on portfolios and e-portfolios is being progressed in the overall context of Junior Cycle Reform.

I have asked the National Council for Curriculum and Assessment to investigate the area of e-Portfolio assessment and the potential role that e-Portfolios might play in a reformed junior

cycle. To inform this process, I understand that a background paper is in the final stages of preparation. The paper is to consider the literature on e-Portfolios, how they are defined, what they typically include, and the beneficial role that they can play in learning and assessment. It is to look at the experience of a number of countries where work on e-Portfolios has taken place and highlights the adoption and implementation issues, including technological and administrative issues, that have arisen in these cases. The paper will be completed in May and will be made available online.

The question of portfolios will be taken forward at a pace commensurate with the capacity for change within the system and like other elements of Junior Cycle reform will be implemented on a phased basis.

### School Openings

82. **Deputy John Lyons** asked the Minister for Education and Skills if he can detail in tabular form the names and addresses of the new post primary schools opened from 2006 to 2011; and if he will make a statement on the matter. [20821/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The information requested by the Deputy is detailed below as requested:

School Openings 2006-2011

Year Opened	County	Roll No.	School Name and Address	New school / Amalgamation
2006	Limerick	76101I	Gaelcholáiste Luimnigh, c/o Athenaeum Building, 30 Upper Cecil Street, Limerick	New School
2006	Galway	76102K	Gaelcholáiste Athenry, c/o VEC Offices, Coiléar Bán, Athenry, Co. Galway	New School
2006	Co. Cork	91513S	Pobailscoil na Trionóide, Parkmountain, Youghal, Co. Cork	Amalgamation
2006	Donegal	91408V	Pobalscoil Chloich Cheannfhaola, Falcarragh, Co. Donegal	Aonad attached to school
2007	Kildare	68077S	Ardscoil na Trionóide, Athy, Co. Kildare	Amalgamation
2007	Kerry	91511O	Pobailscoil Chorca Dhuibhne, Daingean Ui Chuis, Co. Chiarraí	Amalgamation
2007	Offaly	76105Q	Coláiste na Sionna, Banagher Community College, Banagher, Co. Offaly	Amalgamation
2007	Waterford	68078U	Gaelcholáiste Portlairge, Waterford	New School
2007	Wexford	68080H	Meanscoil Garman, Wexford,	New School
2007	Wicklow	76106S	Gaelcholáiste na Mara, Arklow, Co. Wicklow	New School
2007	Kilkenny	70641K	Coláiste Pobail Osraí, Ormonde Street, Kilkenny	New School
2007	Donegal	76107U	Gaelcholáiste Bhun Cranncha, Bhun Cranncha, Co. Dhún Na nGall	New School
2008	Leitrim	76089V	Mohill Community College, Mohill, Co. Leitrim	Amalgamation

[Deputy Ruairí Quinn.]

Year Opened	County	Roll No.	School Name and Address	New school / Amalgamation
2008	Meath	76103M	Laytown Community College, Laytown, Co. Meath	New School
2008	Dublin	76104O	Donabate Community College, Donabate, Co. Dublin	New School
2008	Dublin 15	76098W	Phibblestown Community College, Phibblestown, Dublin 15.	New School
2009	Laois	91550B	Mountrath Community School, Mountrath, Co. Laois	Amalgamation
2009	Galway	68074M	St. Jarleth's College, Tuam, Co. Galway	Amalgamation
2009	Dublin	76097U	Adamstown Community College, Adamstown, Co. Dublin	New School
2009	Dublin	76129H	Ardgillan Community College, Castlelands, Balbriggan, Co. Dublin	New School
2009	Dublin	76130P	Luttrellstown Community College, Porterstown, Dublin 15.	New School
2011	Mayo	76150V	Coláiste Pobail Acla, Achill Sound, Westport, Co. Mayo	Amalgamation
2011	Limerick	76093M	Abbeyfeale Community College (Coláiste Íde agus Iosaf), Limerick	Amalgamation
2011	Cork	76090G	Bantry Community College, Main Street, Bantry, Co. Cork	Amalgamation
2011	Wicklow	76099B	St. Joseph's Abbey, Wicklow Town, Co. Wicklow	Amalgamation
2011	Kildare	91530S	Kildare Town Community School, Kildare Town	Amalgamation
2011	Wexford	76127D	Gorey Community College, Gorey, Co. Wexford	New School

### Third Level Fees

83. **Deputy Finian McGrath** asked the Minister for Education and Skills the position regarding a proposed increase in student fees (details supplied); and if he will make a statement on the matter. [20822/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Under the terms of my Department's Free Fee Initiative the Exchequer meets the cost of tuition fees in respect of eligible students who are pursuing full-time undergraduate courses of study which are a minimum of two years duration in an approved institution. With effect from the 2011/2012 academic year, a new student contribution charge was introduced in higher education. This charge replaced the Student Services Charge and applies to all full-time students who currently benefit under the 'free fees' scheme.

Where students are not eligible for free tuition fees, including students attending part-time course, they are liable to pay the appropriate tuition fee as determined by the third level institution. Such institutions are autonomous bodies and, as such, the level of fees to be charged in such cases is a matter for the institution concerned. As the Deputy may also be aware, tax

relief is available at the standard rate of taxation in respect of expenditure on fees associated with part-time higher education.

### School Staffing

84. **Deputy Derek Nolan** asked the Minister for Education and Skills the level of compliance with Circular 0031/2011 which was issued last July to discourage retired teachers getting new posts; if whistleblowers can be facilitated with respect to reporting such appointments; and if he will make a statement on the matter. [20835/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Circular 31/2011 details a cascade of measures for recruitment of teachers, prioritising unemployed registered teachers over retired registered teachers, and registered teachers over unregistered persons.

Each principal must report to his or her board of management on a regular basis on the fact that a list of unemployed registered teachers is being maintained, and the circumstances in which he or she has had to engage a registered teacher in receipt of a pension under a public service pension scheme or an unregistered person. Records relating to recruitment and appointment must be made available by the school for inspection by the Department and a copy of such a record must be furnished to the Department upon a request being made for this. The Department has recently initiated a review of compliance with the procedures outlined in 31/2011. Following a random sample of 103 schools, data has been collated in respect of 99 schools. In these 99 schools a total of 736 appointments were made in 2011/12, 12 retired teachers were appointed to cover short-term appointments which equates to 1.6% of the appointments made. A further 5 appointments of retired teachers were made in accordance with the Department's measure to permit the re-employment of teachers who retired between 1 December 2011 and 29 February 2012 and who, immediately before their retirement, had been teaching students preparing to sit the Junior or Leaving Certificate in 2012.

### Higher Education Grants

85. **Deputy John Browne** asked the Minister for Education and Skills when a person (details supplied) in County Wexford will be approved for a higher education grant. [20839/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The decision on eligibility for a student grant is a matter for the relevant grant awarding authority. I understand from the awarding authority in this case, County Wexford VEC, that the grant application from the student referred to by the Deputy was approved on the 17th of April 2012.

### School Staffing

86. **Deputy Brendan Griffin** asked the Minister for Education and Skills if primary main panel rights will be granted to a person (details supplied); and if he will make a statement on the matter. [20860/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The arrangements for panel access for fixed term (temporary), substitute and part-time teachers are set out in Department Circular 0012/2012 which is available on my Department's website. The panels set up in accordance with the arrangements set out in this circular will be used for appointments to full-time permanent teaching posts but only where those posts are not otherwise required to facilitate the redeployment of surplus permanent and CID holding teachers. The closing date for application under this circular was Friday, 20 April, 2012.

My Department intends to notify teachers of the outcome of their applications for panel access in late May, 2012.

### Departmental Expenditure

87. **Deputy Niall Collins** asked the Minister for Public Expenditure and Reform the amount spent on hair and make-up by his Department since February 2011; and if he will make a statement on the matter. [20698/12]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** No money has been spent on hair and make-up by my Department.

### Ministerial Transport

88. **Deputy Niall Collins** asked the Minister for Public Expenditure and Reform the amount spent by his Department on drivers and Ministerial transport since February 2011; and if he will make a statement on the matter. [20714/12]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** I have received a total of €12,991 in respect of mileage claims covering the period May 2011-March 2012. I have two civilian drivers who are paid €631.75 per week by my Department. In the period May 2011 to March 2012 they received a combined payment of €66,370. In the same period they received a combined total of €16,246 in travel and subsistence claims. My Department paid €13,512 in Employer PRSI contributions in respect of the two drivers for the period February 2011 to March 2012.

### Consultancy Contracts

89. **Deputy Niall Collins** asked the Minister for Public Expenditure and Reform the amount paid on external public relations and communications consultants; the name of each organisation used; and if he will make a statement on the matter. [20787/12]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** As clarified with the Deputy's office, the question relates to the period since February 2011.

My Department has not made any payments to public relations and communications consultants in the period from February 2011 to date.

### Departmental Expenditure

90. **Deputy Niall Collins** asked the Minister for Jobs, Enterprise and Innovation the amount spent on hair and make-up by his Department since February 2011; and if he will make a statement on the matter. [20696/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** My Department did not spend any money on hair and make-up since February 2011.

### Ministerial Transport

91. **Deputy Niall Collins** asked the Minister for Jobs, Enterprise and Innovation the amount spent by his Department on drivers and Ministerial transport since February 2011; and if he will make a statement on the matter. [20712/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The total cost to this Department of ministerial transport for the Minister for Jobs, Enterprise and Innovation, the Minister for Small Business and the Minister for Research and Innovation from 9 March 2011 to 20 April 2012 was €322,377.60. This sum included the following principal costs — the salary costs of the Ministers' civilian drivers, including employer's PRSI contribution, travel and sub-

sistence expenses paid to the drivers in the course of their official duties and mileage expenses paid to Ministers. A breakdown of the total cost by Minister is as follows:

Table	
Minister for Jobs, Enterprise and Innovation	€78,267.57
Minister for Small Business	€131,363.89
Minister for Research and Innovation	€112,746.14

### Consultancy Contracts

92. **Deputy Niall Collins** asked the Minister for Jobs, Enterprise and Innovation the amount paid on external public relations and communications consultants; the name of each organisation used; and if he will make a statement on the matter. [20785/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The total spend of my Department and the Offices of my Department on External Public Relations and Communications Consultants and the name of each organisation used for the period 2011 to date is as follows:

Year	Name of Consultant/Organisation	Purpose	Cost
2011	Barberry Limited; trading as Keating and Associates	To provide NERA with Communication Services; including PR; media monitoring; advising on the design; content and production of reports and brochures and assisting with website content.	€18,770
YTD 2012	Barberry Limited; trading as Keating and Associates	To provide NERA with Communication Services; including PR; media monitoring; advising on the design; content and production of reports and brochures and assisting with website content.	€1,283

### Small and Medium Enterprises

93. **Deputy Pearse Doherty** asked the Minister for Jobs, Enterprise and Innovation the number of persons employed in the small and medium sized business sector; the percentage that this sector of the economy represents as a percentage of GDP; and if he will make a statement on the matter. [20794/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** My Department does not compile statistics on the number of SMEs in operation here or the number of staff they employ. Responsibility for statistical information rests with the Central Statistics Office (CSO). Information received from the CSO shows that the number of persons engaged in small and medium enterprises (employing up to 250 people) in the total business economy was 900,952 in 2009. This represents 69 per cent of all persons engaged in the total business economy (the rest accounted for by large enterprises). Using a total employment figure of 1,887,700 for 2009 from the Quarterly National Household Survey (QNHS), the 900,952 represents 48 per cent of all those employed in the wider economy (NACE Sectors A to U) in 2009.

The gross value added (GVA) generated by small and medium enterprises in the non-financial business economy (NACE sectors B to N — excluding K) was €43.052 billion in 2009. This represents 51 per cent of the GVA generated in the total non-financial business economy (the

[Deputy Richard Bruton.]

rest being generated by large enterprises). The Central Statistics Office's "Business in Ireland 2009" publication of January 2012, is available at the following website link: <http://www.cso.ie/en/media/csoie/releasespublications/documents/services/2009/businessinireland2009.pdf>

### **Job Protection**

94. **Deputy Seamus Kirk** asked the Minister for Jobs, Enterprise and Innovation further to Parliamentary Question No. 436 of 18 April 2012, if he will clarify the position in relation to the obligation on employers to employees in a transfer situation, to advise them of the legal, economic and social implications for them of the transfer in view of the transfer of a person (details supplied), due to take place on 8 May 2012; and if he will make a statement on the matter. [20801/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** While the rights of employers in transfer situations may vary, depending on the particular characteristics involved, the transfer to which the Deputy refers will have regard to the European Communities (Protection of Employees on Transfer of Undertakings) Regulations 2003 (S.I. No. 131 of 2003). These Regulations provide that the rights and obligations of the original employer, arising from an employment contract in existence at the time of the transfer shall be transferred to the new employer.

The Regulations also require that in a transfer situation, both the original employer and the new employer inform employee representatives of the reasons for the transfer and the date on which it will take effect. In relation to the nature of the information to be provided, the Regulations provide that both the original employer and the new employer must, in accordance with regulation 8 of the Regulations, inform the representatives of their respective employees affected by the transfer, of (1) the date or proposed date of the transfer, (2) the reasons for the transfer, (3) the legal implications of the transfer for the employees and a summary of any relevant economic and social implications of the transfer for them and (4) any measures envisaged in relation to the employees.

The original employer is required to provide this information to the employees' representatives, where reasonably practicable, not later than 30 days before the transfer and, in any event, in good time before the transfer occurs. The new employer must give the information to the employees' representatives, where reasonably practicable, not later than 30 days before the transfer occurs and in any event, in good time before the employees are directly affected by the transfer as regards their conditions of work and employment. If either employer envisages measures in relation to their employees, the employees' representatives must be consulted, where reasonably practicable, not later than 30 days before the transfer occurs and, in any event in good time before the transfer about such measures, with a view to reaching agreement.

The above Regulations are supplemented by the Employee (Provision of Information and Consultation) Act 2006, which provides employees with a general right to request to enter into negotiations and to establish information and consultation arrangements with their employer on matters that directly affect them. This Act applies to employers with at least 50 employees. In the case referred to, I have met with the parties involved and have been assured that a process of consultation, as provided for in the legislation, has commenced.

### **Public Procurement**

95. **Deputy Finian McGrath** asked the Minister for Jobs, Enterprise and Innovation if he will respond to a query from a company (details supplied) in Dublin 5. [20809/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The query in this case relates to a contract for the supply of goods which was awarded by a Local Authority. It would not be appropriate for me to comment on specific contracts in the procurement process which are a matter for the procuring authority and the company in question regarding any issues or queries on the awarding of particular contracts.

I am, however, keen to ensure that SMEs have every possible opportunity to compete for public procurement contracts. In this respect, the Action Plan for Jobs contains a number of measures to facilitate SME access to public procurement. These include:

- ensuring that pre-qualification criteria (e.g. turnover, insurance thresholds, experience) for public procurement contracts are proportionate,
- the assignment by Enterprise Ireland of advisors and mentors to help client companies to prepare better for public procurement opportunities, and
- encouraging more SMEs to register on the Government’s eTenders website to enable forthcoming procurement opportunities to be brought to their attention.

While the Government’s objective is to ensure improved access to procurement for SMEs, ultimately the award of any particular contract is a matter for the procuring authority in question, having regard to the content of the tenders received and the criteria under which they are assessed.

### EU Funding

96. **Deputy Micheál Martin** asked the Minister for Jobs, Enterprise and Innovation if he has requested assistance from the EU in relation to tackling youth unemployment; and if he will make a statement on the matter. [15193/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** In December 2011, the European Commission launched a “Youth Opportunities Initiative” in response to the growing problem of youth unemployment across the EU. The Commission’s communique of 20 December 2011 set out a number of actions which will be financed directly by the Commission as part of the Initiative. These include measures to be supported by the European Social Fund and by the ERASMUS and Leonardo da Vinci programmes. The Department of Education and Skills is responsible for the management and operation of the European Social Fund in Ireland and for administering the ERASMUS and Leonardo da Vinci programmes. I understand that Department has been examining the potential to provide further support for youth unemployment through these mechanisms.

The Government is responding to the issue of youth unemployment through the measures outlined in its labour market initiative, Pathways to Work, which includes various training, education and work experience measures delivered by the Department of Education and Skills and the Department of Social Protection. Many young people will also benefit from the employment opportunities that will arise from the Action Plan for Jobs.

### Job Creation

97. **Deputy Micheál Martin** asked the Minister for Jobs, Enterprise and Innovation the actions he has taken in relation to reducing costs for business to enable job creation; and if he will make a statement on the matter. [15192/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** Tackling the cost of doing business is a shared objective across the whole of Government. Since coming into office, we have taken a number of measures to reduce business costs.

In the Jobs Initiative last May, we halved the rate of Employer's PRSI on earnings up to €356 per week and reduced the lower rate of VAT on certain goods and services, from 13.5% to 9%. The Restaurant Association of Ireland has acknowledged that this reduction has helped support job creation in their sector.

The Action Plan for Jobs 2012, which was published on 13 February, includes an extensive range of measures across Government which will help to reduce costs for businesses and support job creation. These include simplification and extension of the Employer's PRSI exemption scheme, measures to reduce and manage energy costs, and putting downward pressure on prices in areas such as legal services.

From my own perspective, I have undertaken to reform the statutory wage setting mechanism, to benchmark and develop actions to systematically reduce excessive key business costs, and to encourage all professionals to supply the business sector and other consumers with price quotations in advance.

My Department has already reduced business burdens within areas of its own responsibility by 23%, which will yield potential savings of €198 million per annum for business. It is currently engaged in an exercise with seven other Departments and with the Revenue Commissioners on reducing administrative burdens in their areas.

In addition, I wrote to my Ministerial colleagues in March, asking them to examine all charges which are levied on business by their Departments and associated bodies, with a view to identifying which charges can be reduced, or frozen to the end of 2013 or beyond.

My officials are currently preparing a composite overview of the responses from Government Departments and the bodies under their aegis. However, I can confirm, at this stage, that a number of areas have been identified where charges are being reduced or frozen. I will be announcing further details shortly.

I will continue to work systematically with my Ministerial colleagues to ensure that we reduce business costs in every way that we can.

### **Departmental Programmes**

98. **Deputy Gerry Adams** asked the Minister for Jobs, Enterprise and Innovation the way he will monitor implementation of the 2012 Action Plan for Jobs; when will the first report on the progress of implementation be published; and if he will make a statement on the matter.  
[10762/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The Action Plan for Jobs 2012 contains over 270 actions for delivery across all 15 Government Departments and 36 State agencies, to support employment creation and retention. Each action is broken down into quarterly measures — or milestones — for delivery, and the body responsible for implementation of those measures is identified.

A Monitoring Committee, comprising representatives from the Department of the Taoiseach, the Department of Public Expenditure and Reform, my own Department and Forfas, has been established to track the progress of each of the milestones. The Monitoring Committee is supported by a small team in the Department of the Taoiseach.

When the Action Plan was launched in February, the Taoiseach stated that he would publish Progress Reports on the implementation of the Action Plan on a quarterly basis. The first such

Progress Report was published on 20 April. It showed that 80 of the 83 measures due to be delivered in the first Quarter of 2012 have been completed. While the 3 remaining measures were not fully completed on schedule, significant progress has been made on these items and I fully expect them to be finalised during the second Quarter. The Progress Report is available on my Department's website, [www.djei.ie](http://www.djei.ie).

*Question No. 99 answered with Question No. 31.*

### **Social Welfare Appeals**

100. **Deputy Martin Ferris** asked the Minister for Social Protection when a person (details supplied) will have their result of their appeal of an invalidity pension. [20641/12]

**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 16 February 2012. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by the Deciding Officer on the grounds of appeal be sought. When received, the appeal in question will be referred to an Appeals Officer for consideration as to whether the case may be decided on a summary basis or to hold an 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.

101. **Deputy Paul J. Connaughton** asked the Minister for Social Protection when a decision will issue in relation to a carer's allowance appeal in respect of a person (details supplied) in County Galway; and if she will make a statement on the matter. [20670/12]

**Minister for Social Protection (Deputy Joan Burton):** The carer's allowance claim of the person in question was reviewed when the care recipient reached 16 years of age and no longer qualified for domiciliary care allowance. It was decided that the care recipient no longer satisfied the medical criteria for receipt of carer's allowance.

Additional medical evidence was received and assessed, but, based upon the opinion of the department's medical assessor, the deciding officer decided that there was no grounds to revise the original decision.

Accordingly, on 22 February 2012, payment of carer's allowance was stopped. She has been notified of this decision, the reason for it and her right of review and/or appeal to the Chief Appeal's Officer within 21 days.

Further medical evidence has been received and forwarded to the medical assessor for further consideration.

She will be notified directly of the outcome of the review.

*Question No. 102 answered with Question No. 16.*

### **Departmental Expenditure**

103. **Deputy Niall Collins** asked the Minister for Social Protection the amount spent on hair and make-up by her Department since February 2011; and if she will make a statement on the matter. [20699/12]

**Minister for Social Protection (Deputy Joan Burton):** In the period from February 2011 to date, there have been no expenses incurred by my Department in respect of hair and make-up.

### Redundancy Payments

104. **Deputy Tom Hayes** asked the Minister for Social Protection when redundancy will be paid to a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [20701/12]

**Minister for Social Protection (Deputy Joan Burton):** A redundancy lump sum claim in respect of the person concerned has been awarded and payment will issue directly to the person's nominated bank account in the coming weeks.

### Ministerial Transport

105. **Deputy Niall Collins** asked the Minister for Social Protection the amount spent by her Department on drivers and Ministerial transport since February 2011; and if she will make a statement on the matter. [20715/12]

**Minister for Social Protection (Deputy Joan Burton):** The Government decided in March 2011 to confine the use of State cars from 1 May 2011. Accordingly, I now use my own car for official business. The travel/mileage rates payable depend on the car engine size and also incorporate a number of expense elements associated with the cost of running a car. These cost elements include insurance, full membership of AA/RAC, road tax and licence. The engine size of my car is 1400cc and the rate applicable is 46.25 cent per kilometre. The mileage costs, which I have claimed since 1 May 2011 to 31 March 2012, amount to €8,341.92. I have two civilian drivers, both on a remuneration rate of €631.75 per week. The total salary costs involved to date has been €49,725.70. They may also claim travel and subsistence allowances, in accordance with the Department of Public Expenditure and Reform regulations for necessary absences on official duties from home and headquarters. Total cost of travel and subsistence claimed by my drivers to 31 March 2012 is €2,211.33.

The total cost incurred in all of the above amounts to €60,278.95.

### Community Development

106. **Deputy Dan Neville** asked the Minister for Social Protection the position regarding a community employment scheme (details supplied); and if she will make a statement on the matter. [20754/12]

**Minister for Social Protection (Deputy Joan Burton):** Following changes to the training and materials grant for Community Employment (CE) schemes announced in Budget 2012, the Department has made a commitment that no CE Scheme would close pending the completion of a review. All CE Scheme Sponsors are working with the Department to ensure that there is adequate funding for the continuation of their projects. The baseline amount of the materials/training grant remains at €500 per participant, as announced in the Budget. My officials have discretion to make an amount of up to €1,000 per participant available to schemes in respect of the training and materials grant, subject to individual schemes providing a clear and transparent demonstration of need for this level of funding. The onus is on sponsors to make the case for the appropriate level of the grant for their individual scheme. The level of grant sought will have to be justified by the scheme sponsor and will be subject to verification and agreement by the Department on a case by case basis.

In the case of Ballygarry, officials met the sponsors on 5 April last to discuss their funding needs in detail. The Sponsor Group were asked to provide a detailed breakdown of their requirement to stay viable to the end of the scheme. The Department are awaiting clarification on some issues relating to the costs that they included. However, at the meeting, it was recog-

nised that their situation was untenable and that additional funding would be required. When the outstanding issues are clarified, the Department will be able to put a precise figure on the additional funding to be provided.

### Social Welfare Appeals

107. **Deputy John McGuinness** asked the Minister for Social Protection if an application for invalidity pension now under appeal will be expedited and approved in respect of a person (details supplied) in County Kilkenny. [20759/12]

**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 on 01 May 2012. The person concerned has been notified of the arrangements for the 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.

108. **Deputy John McGuinness** asked the Minister for Social Protection if an application for disability allowance now under appeal will be expedited in respect of a person (details supplied) in County Kilkenny. [20760/12]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that the disability allowance claim of the person concerned was disallowed following an assessment by a Medical Assessor who expressed the opinion that she was medically unsuitable for the allowance. An appeal was registered on 16 February 2012 and in accordance with the statutory procedures the relevant department papers and the comments of or on behalf of the Deciding Officer on the matter raised in the appeal have been sought. In that context, an assessment by another Medical Assessor will be carried out. The Social Welfare Appeals Office functions independently of the Minister for Social and Family Affairs and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

109. **Deputy John McGuinness** asked the Minister for Social Protection the position regarding an appeal for domiciliary care allowance in respect of a person (details supplied) in County Carlow; if the appeal will be approved as a matter of urgency based on medical evidence submitted; and if she will make a statement on the matter. [20762/12]

**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 15 February 2012. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by the Deciding Officer on the grounds of appeal be sought. When received, the appeal in question will be referred to an Appeals Officer for consideration as to whether the case may be decided on a summary basis or whether to hold an 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.

110. **Deputy John McGuinness** asked the Minister for Social Protection if she will explain the delay in dealing with an appeal in respect of a person (details supplied) in County Kilkenny and if a decision will be expedited. [20765/12]

**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 January

[Deputy Joan Burton.]

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 27 March 2012 and the appeal will be assigned to an Appeals Officer who will decide whether the case can be decided on a summary basis or whether to list it for oral hearing. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

111. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the position regarding an appeal of a decision not to grant carer's allowance in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [20766/12]

**Minister for Social Protection (Deputy Joan Burton):** The above named was refused carer's allowance on two separate issues, firstly that she was employed outside the home for more than 15 hours per week, contrary to the conditions of eligibility for the scheme, and secondly on the grounds that the care recipient is not so disabled as to require full-time care and attention as prescribed in regulations. On 25 January 2012, she was notified of this decision and the reasons for it. Additional information was received in respect of the number of hours she works per week and this aspect of her application was subsequently approved. However, her application remained refused on review as the care recipient does not satisfy the medical criteria for receipt of carer's allowance. The person in question was notified accordingly on 9 February 2011. There is no record, to date, of an appeal having been registered in this case.

### **Employment Support Services**

112. **Deputy Brian Walsh** asked the Minister for Social Protection if she will provide an update on the ongoing review of eligibility criteria for the jobbridge scheme; if she anticipates that the scheme will be extended to those in receipt of allowances in respect of disability; and if she will make a statement on the matter. [20770/12]

**Minister for Social Protection (Deputy Joan Burton):** The National Internship Scheme is currently limited to individuals who are currently on the Live Register and have been in receipt of Jobseekers Allowance/Benefit or are signing on for credits for at least 3 of the last 6 months. Given the scale of the unemployment crisis, it is important that as employment opportunities become available they are taken up by those on the Live Register. The key objective of labour market policy is to keep those on the Live Register close to the Labour Market and prevent the drift into long-term unemployment. This will ensure that Live Register members availing of activation measures such as the National Internship Scheme will, while retaining social welfare unemployment payments and a top up allowance of €50, get an opportunity to engage in the workplace, get work experience and so be in a position to avail of employment opportunities as the economy improves.

For these reasons, it has been proposed as a matter of public policy that eligibility for the scheme be confined to those on the Live Register and in receipt of unemployment payments or signing for credits for 3 of the last 6 months. As such, the policy objective is to prioritise scarce resources on those on the Live Register so as to increase their chances of leaving it thereby ensuring a reduction in Exchequer costs over time. Individuals who are in receipt of a disability allowance however can access the Work Placement Programme, which provides participants with a work experience placement of between two and nine months. During this time participants may be able to retain their social welfare entitlements. In addition, people in receipt of a disability allowance can access a range of other specific programmes, such as the

Supported Employment Programme and the Wage Subsidy Scheme. Both of these programmes aim to assist people with a disability to secure and maintain a job in the labour market.

My Department continues to monitor and review the operation of the JobBridge scheme, including its eligibility criteria, on an ongoing basis. The extension of JobBridge to those in receipt of Disability Allowances forms part of this broader review process. The review process is at an advanced stage and it is anticipated that I may be in a position to present formal proposals very shortly.

### Community Employment Schemes

113. **Deputy Denis Naughten** asked the Minister for Social Protection further to Parliamentary Question No. 186 of 15 December 2011, if she will provide an update; and if she will make a statement on the matter. [20771/12]

**Minister for Social Protection (Deputy Joan Burton):** A financial review of Community Employment (CE) Schemes is underway. This review of CE Schemes has proved to be a valuable exercise for both the schemes themselves and for my Department.

Given the volume and breath of the data being returned, the financial review of CE schemes will take longer than originally envisaged to complete. This will allow more time for schemes to engage with local officials in the finalisation of their respective budgets and for my Department to bring forward improvements to the overall operation of Community Employment which will improve the budgetary situation for schemes. No final allocations of materials and training grants have been made pending the completion of the review.

The existing commitment in relation to the financial support of schemes will continue to apply. Department Officers are supporting any schemes that have identified a requirement for on-going supports while the review is underway.

### Public Relations Contracts

114. **Deputy Niall Collins** asked the Minister for Social Protection the amount paid on external public relations and communications consultants; the name of each organisation used; and if she will make a statement on the matter. [20788/12]

**Minister for Social Protection (Deputy Joan Burton):** Details of the Department's usage of external public relations and communications companies over the past decade are outlined in the attached tabular statement. The Department spent a total of €8,700 over the past ten years on external public relations and communications consultants. Spending has been kept to this minimal level as the Department's press office deals with media queries and public relations matters.

Company	Service Provided	Year	Amount (€)
Carr Communications	Advise on a PR strategy for Press Office	2002	6,500
Carr Communications	Media Skills training	2004	450
Carr Communications	Media Skills training for top management	1/1/2012 to date	1,800
		Total:	8,750

### Domiciliary Care Allowance Appeals

115. **Deputy Michael McGrath** asked the Minister for Social Protection the position regarding domiciliary care allowance in respect of a person (details supplied) in County Cork. [20792/12]

**Minister for Social Protection (Deputy Joan Burton):** The continued entitlement to domiciliary care allowance of the person concerned was reviewed in January 2012. The case was referred to one of the Department's Medical Assessors who reviewed the entitlement based on the medical review form submitted and found that the child was no longer medically eligible for the allowance.

The person concerned was notified of the decision on the 23rd January 2012 and she has appealed the decision. As part of the appeal process, the case has been forwarded to another of the Department's Medical Assessors for further consideration, including a review of any new information supplied. Upon receipt of the Medical Assessor's opinion, the case will be further examined and forwarded for consideration by the Appeals Office, if necessary.

### Mortgage Interest Supplement Payments

116. **Deputy Gerry Adams** asked the Minister for Social Protection the number of applicants for mortgage interest supplement in 2007, 2008, 2009, 2010, 2011 and to date in 2012 on a county breakdown and a breakdown by Dublin post code. [20808/12]

**Minister for Social Protection (Deputy Joan Burton):** The Department does not maintain statistics on the number of mortgage interest supplement applications received.

However, the number of mortgage interest supplement recipients at the end of each year for the period in question is provided in the attached tabular statement. Statistics are not available on the number of recipients by Dublin postal code.

#### Mortgage Interest Supplement Recipients by County

2007 to End March 2012

County	Mar-12	2011	2010	2009	2008	2007
Carlow	393	432	414	352	184	87
Cavan	501	519	470	453	262	92
Clare	304	323	359	276	170	78
Cork	1,555	1,726	1,755	1,497	871	533
Donegal	395	434	368	309	177	97
Dublin	4,514	4,665	4,332	3,855	2,257	1,295
Galway	641	681	683	645	364	171
Kerry	223	239	245	192	160	90
Kildare	1,319	1,417	1,365	1,115	514	222
Kilkenny	444	439	450	385	160	86
Laois	289	288	253	150	64	35
Leitrim	69	66	53	50	13	9
Limerick	661	676	647	551	298	149
Longford	99	112	117	82	28	13
Louth	465	475	419	346	147	75
Mayo	677	695	700	594	308	168
Meath	1,443	1,491	1,333	998	438	169
Monaghan	208	202	182	143	78	38
Offaly	307	304	241	145	56	22

County	Mar-12	2011	2010	2009	2008	2007
Roscommon	339	342	306	263	143	62
Sligo	54	57	50	48	28	12
Tipperary	617	646	605	484	267	147
Waterford	500	525	498	438	229	91
Westmeath	213	232	227	189	101	36
Wexford	1,243	1,326	1,271	986	453	178
Wicklow	644	676	631	555	321	156
Total	18,117	18,988	17,974	15,101	8,091	4,111

### Domiciliary Care Allowance Appeals

117. **Deputy Willie Penrose** asked the Minister for Social Protection if she will take steps to contact the social welfare appeals office with a view to expediting an appeal in respect of a person (details supplied) in County Westmeath against the refusal of an application for domiciliary care allowance; and if she will make a statement on the matter. [20810/12]

**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 12 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. When received, the appeal in question will be referred to an Appeals Officer for consideration as to whether the case may be decided on a summary basis or hold an 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.

### Rent Supplement Scheme Applications

118. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the length of time it takes an application for rent support to be processed; the number of applications currently on hand in her Department; and if she will make a statement on the matter. [20849/12]

**Minister for Social Protection (Deputy Joan Burton):** The Department does not maintain statistics on the length of time taken to process rent supplement applications or the number of applications received.

However, I attach a tabular statement showing the number of rent supplement claims awarded during 2011 and during the first quarter of 2012:

Rent Supplement Claims Registered and Awarded

Period	Claims Awarded
2011	63,878
Jan — Mar 2012	12,819

### Social Welfare Overpayments

119. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the total number

[Deputy Bernard J. Durkan.]

of jobseeker's allowance overpayments currently on hand in her Department; the total amount of moneys involved; and if she will make a statement on the matter. [20850/12]

**Minister for Social Protection (Deputy Joan Burton):** The total value of overpayments raised in 2010 amounted to €83.4m in respect of approximately 52,000 cases. Recoveries in that year amounted to €34.5m. The value of overpayments raised in the jobseeker's allowance scheme in 2010 amounted to €12.1m in respect of approximately 15,000 cases and recoveries amounted to €6.3m.

My Department actively pursues the recovery of all overpayments, including the initiation of civil proceedings, where appropriate. The overpayments figures for 2011 will not be available until audited by the Comptroller and Auditor General.

120. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the number of staff in her Department engaged in recovering overpayments of moneys made by her Department; and if she will make a statement on the matter. [20851/12]

**Minister for Social Protection (Deputy Joan Burton):** Each of the Department's primary scheme areas and all local offices have a debt management function. The number of staff specifically involved in the collection of debt will depend on the claim-load and the level of overpayments in each of these areas. It is the responsibility of all Departmental officers to review the debt position of a customer at the claim stage, when establishing a customer's entitlement, and to negotiate a repayment plan on outstanding debt.

My Department's policy is to seek the maximum level of repayments from clients, who have received payments in excess of what they were entitled to, in order to encourage prompt repayment of all debts. We are fully committed to recovering 100% of all overpayments.

Effective debt recovery is seen an integral part of the deterrent to fraudulent claiming. Debt holders should be aware that a departmental debt will remain on their records until fully recovered and will result in a reduction of all future entitlements, up to and including state pension. Following the death of a customer who owes a debt, my Department has a claim on any estate remaining. Persons who have a debt and who are no longer dependent on social welfare are required to repay this debt as quickly as possible. My Department actively pursues the recovery of all overpayments, including the initiation of civil proceedings, where appropriate.

### **Social Welfare Benefits**

121. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the number of applications for supplementary welfare allowance currently awaiting a decision; the length of time it takes for claims to be processed; and if she will make a statement on the matter. [20852/12]

**Minister for Social Protection (Deputy Joan Burton):** The Department does not maintain statistics on the number of applications for supplementary welfare allowance (SWA) currently awaiting a decision. However more than 95% of basic SWA applications are decided and paid within a week.

### **Social Welfare Appeals**

122. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the number of appeals received in respect of all schemes in her Department in the past three weeks; the length

of time for such appeals to be decided; and if she will make a statement on the matter. [20853/12]

**Minister for Social Protection (Deputy Joan Burton):** I am advised by the Social Welfare Appeals Office that a total of 1,543 appeals across all schemes were received in the 3 week period 2 April to 20 April 2012. Based on returns for the first quarter of 2012, the average times taken to process appeals decided by summary decision is 22.4 weeks and 40.9 weeks for those requiring an oral hearing.

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 Department 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.

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

123. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the total number of invalidity benefit applicants refused in her Department in each of the past three years; and if she will make a statement on the matter. [20854/12]

#### Minister for Social Protection (Deputy Joan Burton):

Year	Claims Received	Claims Disallowed	% Disallowed
2009	7,475	2,933	39%
2010	8,774	4,017	46%
2011	14,621	*4,697	N/A

\*The figures shown for claims disallowed in 2011 refers to those dealt with from June to December 2011 only as a breakdown of decisions awarded and disallowed is not available for the period January to end May 2011 as a dual system was in operation prior to migration of all Invalidity Pension Claims to a new computer platform. The number of claims registered during that period was 8,466 and the estimated percentage of claims disallowed (4,697), during the same period was 56%.

It is to be noted that the large increase in claim-load during 2011 is related to the changes made whereby payment of short-term illness benefit is now limited to a maximum of 2 years. As a consequence there has been an increase in the number of claimants seeking to avail of the longer term invalidity pension payment. However such claimants may not satisfy the medical conditions necessary to establish a permanent incapacity to work and/or may not satisfy the social insurance contribution conditions necessary to qualify for an invalidity pension. In such cases claimants can apply for the means tested disability allowance scheme.

#### Social Welfare Benefits

124. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the number of applications for jobseeker's benefit on hand in her Department from applicants in County Kildare; the length of time to determine such applications; and if she will make a statement on the matter. [20855/12]

**Minister for Social Protection (Deputy Joan Burton):** On 20 April 2012 there were 301 jobseeker's benefit claims pending decision from claimants in County Kildare. The average processing time for jobseeker's benefit claims is 1.86 weeks.

### Social Welfare Appeals

125. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the number of domiciliary care applications going forward for oral hearing; the reasons for same; and if she will make a statement on the matter. [20856/12]

**Minister for Social Protection (Deputy Joan Burton):** I am advised by the Social Welfare Appeals Office that there are currently 69 domiciliary care applications scheduled for oral hearing.

Oral hearings are granted at the discretion of the Appeals Officer based on the nature and circumstances of the case.

126. **Deputy Niall Collins** asked the Minister for Social Protection the position regarding an application for jobseeker's allowance in respect of a person (details supplied); and if she will make a statement on the matter. [20862/12]

**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 available evidence allowed the appeal, of the person concerned, by way of summary decision. The person concerned was notified of the Appeals Officer decision on 18th April 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.

127. **Deputy Nicky McFadden** asked the Minister for Social Protection when a date for social welfare appeal can be expected in respect of a person (details supplied); and if she will make a statement on the matter. [20875/12]

**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.

128. **Deputy John O'Mahony** asked the Minister for Social Protection when will a review and a decision will be made on an application for domiciliary care allowance in respect of a person (details supplied) in County Mayo; and if she will make a statement on the matter. [20878/12]

**Minister for Social Protection (Deputy Joan Burton):** The continued entitlement to domiciliary care allowance (DCA) of the person concerned was reviewed on 3rd April 2012. The case was referred to one of the Department's Medical Assessors, who reviewed the entitlement of the child based on the medical review form submitted and found that the child was no longer medically eligible for the allowance.

The person concerned was notified of the decision and has now supplied further information in support of her case. An appeal against the decision is currently being registered and as part of the appeal process, the case will be forwarded to another of the Department's Medical Assessors for further consideration, including a review of all new supporting information supplied. Upon receipt of the Medical Assessor's opinion, the case will be further examined by the deciding officer and will be forwarded for consideration by the Appeals Office, if necessary.

### **Anti-Poverty Strategy**

129. **Deputy Mick Wallace** asked the Minister for Social Protection her views on the rate of single parent households at risk of poverty or social exclusion, which is far higher than the EU-15 average, in view of the cuts to one parent families introduced in Budget 2012; and if she will make a statement on the matter. [20952/12]

130. **Deputy Mick Wallace** asked the Minister for Social Protection if she will commit to protecting one parent families from further budget cuts in view of the sustained attack on these households which has been carried out over the course of successive austerity budgets including Budget 2012; if she will target limited resources towards tackling the high rate of single parent households that are at risk of poverty and social exclusion; and if she will make a statement on the matter. [20953/12]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 129 and 130 together.

In the past, income support for people of working age, including lone parents, has been passive in nature, with little systematic engagement by the State with the customer. This is now changing. Long-term welfare dependency and passive income support to people of working age are not in the best interests of the recipient, of their children or of society.

Despite significant levels of State spending on one-parent families, as well as improvements made to the OFP scheme over the years, the results have been poor in terms of tackling poverty and social exclusion. Lone parents and their children continue to experience high rates of "consistent poverty". Consistent poverty is the official measure of poverty used by the Government to set the national poverty target in the *National Action Plan for Social Inclusion 2007-2016*. Consistent poverty is a targeted measure which identifies the population both at-risk-of-poverty (income below 60% of median income) and experiencing basic deprivation (lack two or more basic necessities). EU-SILC figures (2011) show that, in 2010, 9.3% of lone parents in Ireland were experiencing "consistent poverty". The comparable rate in 2009 was 16.6 per cent and in 2008 was 17.8 per cent. However, the rate of consistent poverty among lone parent households is 50% more than the population as a whole. The national poverty target is to reduce the rate of consistent poverty to between 2 and 4 per cent, with the ultimate aim of eliminating it.

The EU measure of at risk of poverty or social exclusion is a much broader measure of poverty, combining three separate indicators (at-risk-of-poverty, severe material deprivation and low work intensity).

The one-parent family payment (OFP) has played an important role in providing income support to lone parents. Changes have been made to the payment since its introduction in 1991, reflecting the changes taking place in society, the labour market and the expectations and

[Deputy Joan Burton.]

realities of parents' lives, and particularly of mothers, in terms of work and care. These reforms continue that change. They recognise parental choice with regard to the care of young children, while, at the same time, having an expectation that parents will not remain outside of the workforce indefinitely.

It is recognised that the best route out of poverty and social exclusion is through paid employment. Work, and especially full-time work, may not be an option for parents of young children. However, supporting parents to participate in the labour market, once their children have reached an appropriate age, will improve both their own economic situation and the social well-being of themselves and of their families.

These reforms will require a whole of Government response, with regard to the provision of the appropriate education, training, employment and childcare supports including the provision of appropriate after-school care. The development of the National Employment and Entitlement Service (NEES) and the profiling of jobseekers, which is already underway in my Department, will lead to a better identification and understanding of the supports that individual customers need and the extent to which these are available and affordable.

The changes introduced in the Social Welfare and Pensions Bill 2012 are being brought in over time. Between now and 2014, the consequences of these changes will be examined on a cross-departmental basis and in consultation with the groups that represent lone parents.

As part of this examination, discussions have already been taking place between officials from my Department and from the Department of Children and Youth Affairs with regard to the development of a policy framework around child care, including after-school care and, in the short-term, the assessment of the extent of the current provision of such care, the costs of such care to parents, and the demand for such services from lone parents.

131. **Deputy Pearse Doherty** asked the Minister for Social Protection the actions she is taking in response to the fact that at risk of poverty rates here have increased from 14.1% in 2009 to 15.8% in 2010 according to the latest Survey on Income and Living Conditions conducted by the Central Statistics Office and published last month. [19307/12]

**Minister for Social Protection (Deputy Joan Burton):** The elimination of poverty is a key objective of Government. In this context, the National Action Plan for Social Inclusion 2007-2016 includes a target to reduce the number of people experiencing consistent poverty. People are in consistent poverty if their income is below 60% of median income (at-risk-of-poverty) and they experience two or more items of basic deprivation, out of an 11 item list. The latest data from the Central Statistics Office shows that the rate of consistent poverty was 6.2 per cent in 2010. According to the CSO, this does not represent a statistically significant change on the 2009 figure of 5.5 per cent.

The question refers to the risk at-risk-of-poverty indicator and this is limited in its ability to measure poverty as it measures income only and does not include deprivation measures. The recent trend in this income-only indicator reflects the fall in household income on foot of the economic recession and increased unemployment. The social protection system has played a key role in cushioning the effects of declining household income and limiting a possible rise in poverty indicators. Data from the CSO shows that social transfers reduce the at-risk-of-poverty rate from 51 per cent to 15.8 per cent. This equates to a poverty reduction effect from social transfers of 60 per cent (excluding pensions) and 69 per cent (including pensions). According to Eurostat, Ireland has one of the highest poverty reduction effects among EU Member States.

A rapid return to sustainable economic growth and the development of inclusive labour market policies are crucial to reduce poverty and social exclusion. The Government recently published its policy statement on labour market activation called *Pathways to Work*. The

approach is to ensure that as many new job opportunities as possible are filled by those on the Live Register, so that unemployed, in particular the long-term unemployed, can benefit from an improvement in economic conditions. My Department will be playing a key role in this regard through the establishment of the National Employment and Entitlements Service.

### Departmental Expenditure

132. **Deputy Niall Collins** asked the Minister for Arts, Heritage and the Gaeltacht the amount spent on hair and make-up by his Department since February 2011; and if he will make a statement on the matter. [20687/12]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** As the Deputy will be aware, the Department of Arts, Heritage and the Gaeltacht was established on 2 June 2011, following substantial Departmental reconfigurations. I am advised that, since that date, there is no record of any payment by my Department for the purposes referred to by the Deputy.

### Ministerial Transport

133. **Deputy Niall Collins** asked the Minister for Arts, Heritage and the Gaeltacht the amount spent by his Department on drivers and Ministerial transport since February 2011; and if he will make a statement on the matter. [20703/12]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** As the Deputy will be aware, the Department of Arts, Heritage and the Gaeltacht was established on 2 June 2011, following substantial Departmental reconfigurations. I am advised that, since that date, there is no record of any payment by my Department for the purposes referred to by the Deputy.

### Consultancy Contracts

134. **Deputy Niall Collins** asked the Minister for Arts, Heritage and the Gaeltacht the amount paid on external public relations and communications consultants; the name of each organisation used; and if he will make a statement on the matter. [20776/12]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** The total amount spent by my Department on public relations companies from 2 June 2011 to 16 April 2012 is €87,569 and this expenditure was incurred in relation to *Imagine Ireland*, Culture Ireland's year-long programme of events in America during 2011.

Name of Company	Service Provided	Total payments between 2 June 2011 and 16 April 2012
Zoetrope	Press and publicity services for Imagine Ireland, Culture Ireland's yearlong programme of events in America during 2011, update of Imagine Ireland website and updating CI social media websites.	€87,569
Total Expenditure		€87,569

### Natural Heritage Areas

135. **Deputy Brendan Griffin** asked the Minister for Arts, Heritage and the Gaeltacht further to Parliamentary Question Nos. 192 and 198 of 18 January 2012 and No. 402 of 31 January 2012, if he will engage with National Parks and Wildlife Service to expedite the setting of

[Deputy Brendan Griffin.]

conservation objectives in respect of Valentia Harbour, County Kerry; and if he will make a statement on the matter. [20836/12]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** As indicated in my reply to questions in January, my Department is working with the Department of Agriculture, Food and the Marine, and the Marine Institute, in the programme of work enabling assessment of licensing applications for aquaculture in Natura sites. My Department is proceeding according to this programme and will publish conservation objectives for Valentia as soon as possible.

### Departmental Schemes

136. **Deputy Patrick O'Donovan** asked the Minister for Communications, Energy and Natural Resources if he will provide details of the inspection scheme that is in place for those houses that avail of grant assistance to increase the energy efficiency of the housing stock; if he will provide details of the number of inspections that were carried out in 2010 and 2011 to ensure conformity as part of this scheme; and if he will make a statement on the matter. [20666/12]

137. **Deputy Patrick O'Donovan** asked the Minister for Communications, Energy and Natural Resources the number of companies that were approved in 2010 and 2011 respectively to carry out works under the home energy grants scheme; if he will provide details of the approvals procedures that were put in place; if the approval system is undertaken by a public authority or a private consortium; if he is satisfied that the approval system is robust enough to ensure that only those companies that are capable of undertaking the works are being approved; and if he will make a statement on the matter. [20667/12]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** I propose to take Questions Nos. 136 and 137 together.

The Better Energy Homes scheme is administered by Sustainable Energy Authority of Ireland (SEAI), and provides financial assistance to householders who wish to improve the energy performance of their homes, saving money, improving comfort and reducing harmful greenhouse gas emissions. Fixed grants are provided towards the cost of a range of measures including attic insulation, wall insulation, heating systems upgrades, solar thermal panels and accompanying BER.

Since commencement in March 2009 the scheme has disbursed over €119m in grants and supported the installation of over 300,000 such measures in almost 120,000 homes.

All works carried out under the scheme must be done by installers registered with the SEAI on the basis of a number of prescribed requirements including:-Vouched tax compliance; Vouched insurance cover to undertake works; As appropriate to the measures to be completed, vouched accreditation by NSAI Agrément and RGII; Commitment to undertaking works in accordance with the Contractors Technical Specification and Code of Practice; Commitment to using a contract for all jobs undertaken in the scheme; Full cooperation with the quality assurance scheme; Commitment to detailed terms and conditions set out on registration form.

At the end of 2010 there were 2,756 contractors registered under the scheme, with 2,888 registered at the end of 2011. The numbers vary over the course of any given year on the basis of contractors choosing to continue participation or not. Registrations also automatically lapse when tax clearance or insurance requirements expire. Continued registration is also predicated on full compliance with all requirements under the scheme.

Registration to the scheme is implemented on the SEAI's behalf by an outsourced entity, managed by the SEAI and appointed through public procurement. In order to verify compliance with the requisite standards, under the scheme, SEAI implements a technical inspection regime in accordance with SEAI's detailed Quality Assurance and Disciplinary Procedure. A percentage of properties are inspected by suitably qualified personnel, in accordance with published checklists, to ascertain compliance with relevant aspects of the Technical Specification and Code of Practice. The technical inspections are undertaken by a private company, appointed through public procurement and managed directly by SEAI.

In 2010, 2,497 properties were inspected comprising 3,975 upgrade measures. In 2011 inspectors reviewed 5,274 properties comprising 8,336 measures. The overall technical inspection rate for the scheme has been around 11% of installations. The rate of inspections and the targeting of inspections is being enhanced by SEAI to ensure, among other requirements, that both large and small or new contractors are appropriately and proportionately covered under the technical inspection regime.

While technical inspections are largely, but not exclusively, focused on quality assurance, SEAI is currently implementing much greater use of prepayment verification inspections across all categories of installations and contractors as well as a programme of ongoing enhancement of scheme assurances and controls.

The imperative for ongoing rigorous assessment and enhancement of scheme controls and inspections and audit regimes for all Exchequer grant aid programmes is underlined by SEAI's statement last month that the Authority has identified a number of irregularities associated with one contractor under the Better Energy Homes Scheme. The contractor has been deregistered from the scheme and all related payments suspended pending the outcome of further investigations that are underway. The matter has been referred to An Garda Síochána, and to legal advisors regarding the recovery of monies.

### **Departmental Expenditure**

138. **Deputy Niall Collins** asked the Minister for Communications, Energy and Natural Resources the amount spent on hair and make-up by his Department since February 2011; and if he will make a statement on the matter. [20689/12]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** My Department incurred no expenditure on hair and make-up over the period in question.

### **Ministerial Transport**

139. **Deputy Niall Collins** asked the Minister for Communications, Energy and Natural Resources the amount spent by his Department on drivers and Ministerial transport since February 2011; and if he will make a statement on the matter. [20705/12]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** Since the formation of the new government in March 2011 and the revised transport arrangements for Ministers introduced in May 2011 the total cost incurred in the provision of transport to the Minister and Minister of State at my Department amounts to €195,033 to date.

This amount consists of salary costs of €163,950 (including employer's PRSI) for four civilian drivers and €31,083 mileage expenses for official travel undertaken by the Minister and Minister of State. The decision to discontinue the provision of State cars for Cabinet Ministers (with the exception of An Taoiseach, An Tánaiste and the Minister for Justice) has reduced the cost to the Exchequer on average by 65%.

### Consultancy Contracts

140. **Deputy Niall Collins** asked the Minister for Communications, Energy and Natural Resources the amount paid on external public relations and communications consultants; the name of each organisation used; and if he will make a statement on the matter. [20778/12]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The information which the Deputy requested is outlined in the following tabular format for the years 2011 and 2012:

Year	Amount Spent on Public Relations	Company
2011	€40,513.83	Morrow Communications Ltd
	€8,349.00	Murray Consultants
	€32,670.00	McConnells Advertising Agency
2012 (to mid April)	€10,625	Morrow Communications Ltd
	€86,932.71	McConnells Advertising Agency

### Mining Industry

141. **Deputy Arthur Spring** asked the Minister for Communications, Energy and Natural Resources the number of tonnes of zinc that has been mined here per annum on average over the past ten years; the amount this zinc has been worth to the Irish economy; and if he will make a statement on the matter. [20795/12]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** During the period 2002 to 2011, an average of 382,000 tonnes of zinc metal, in concentrate, was produced in Irish mines. Mine operators pay royalties to the State based on the tonnage of extracted ore on foot of State mining facilities (leases and licences), the details of which are laid before the Oireachtas twice yearly under the Minerals Development Acts 1940 to 1999.

The most recent economic study of the impact of the geoscience sector in Ireland prepared for the GSI in 2007, “Geoscience: Gaining ground”, included a profile of the mining industry in 2006. The report calculated the turnover of €316.5 million, the gross value added (GVA is defined as gross domestic sales less gross industrial costs, that is, the value added by both labour and capital), as being €235.6 million and employment of 1,250 jobs for base metal mining. As the price of metals can vary considerably, the Department intends to update the assessment, to calculate the value of the minerals exploration and mining sector to the Irish economy, with a view in part to determining if and how this can be increased in the future. It is intended to commence this project later this year.

### Natural Gas Grid

142. **Deputy Arthur Spring** asked the Minister for Communications, Energy and Natural Resources the number of barrels of oil equivalent per day of natural gas have been brought ashore per annum on average over the past ten years as a result of drilling in Irish waters; the amount of money this gas has been worth to the economy here; and if he will make a statement on the matter. [20796/12]

143. **Deputy Arthur Spring** asked the Minister for Communications, Energy and Natural Resources the number of barrels of oil that have been brought ashore per annum on average over the past ten years as a result of drilling in Irish waters; the amount this oil has been worth to the economy here; and if he will make a statement on the matter. [20797/12]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** I propose to take Questions Nos. 142 and 143 together.

The only commercial discoveries of hydrocarbons made in the Irish offshore to date are the three producing gas fields (Kinsale, Ballycotton and Seven Heads) in the Kinsale area, along with the Corrib gas field which is currently under development. There have been no commercial discoveries of oil.

Production from the Kinsale area gas fields commenced in 1978 with peak production occurring in the four year period from 1993 to 1996 at an average rate of 96 billion cubic feet (bcf) of gas per annum. The three gas fields are nearing depletion and currently supply approximately 10 bcf per annum or 5% of Ireland's annual gas requirements. The remaining 95% is imported through the gas interconnectors from Scotland.

Regarding the benefits to the Irish economy, production from the Kinsale fields was the catalyst for the development of the gas transmission network in Ireland. The three gas fields have also made a significant contribution to Ireland's security of energy supply since production commenced 1978; though this has fallen off in recent years as the fields near depletion. In common with most major infrastructure projects, the development phase of a petroleum production project give rise to significant employment opportunities with a smaller number of high quality jobs being created on a permanent basis during the production phase.

In terms of the direct financial contribution to the State, profits from the petroleum production are taxed at a rate of 25% while royalties from the Kinsale and Ballycotton gas fields are payable to the State at a rate of 12.5%. While the amount paid in tax is a matter between the operators of the gas fields and the Revenue Commissioners, I can advise that the amount received in royalties since production commenced is €191.7 million.

The following table sets out the volume of gas produced and royalties received in the 10-year period to the end of 2010. While natural gas is sometimes expressed using barrel of oil equivalent units, this measurement relates solely to the energy content of natural gas when compared to oil. Barrel of oil equivalent units are not relevant when comparing the price of gas to the price of oil. For comparison purposes the energy content of 5,800 cubic feet of natural gas equates to roughly 1 barrel of oil equivalent.

Gas Production and Royalty Payments for the 10 year period to end 2010

Year	Production (BCF)	Royalties received (000)
2001	33	8,180
2002	29	7,306
2003	22	4,961
2004	32	4,900
2005	21	5,080
2006	15	12,231
2007	15	6,389
2008	14	8,153
2009	11	2,114
2010	10	2,572
Total	201	61,885

### Energy Conservation

144. **Deputy Thomas P. Broughan** asked the Minister for Communications, Energy and

[Deputy Thomas P. Broughan.]

Natural Resources the number of persons who have qualified for Sustainable Energy Authority of Ireland grants to improve their home insulation in the years 2009, 2010, 2011 and to date in 2012; and if he will make a statement on the matter. [20871/12]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The Sustainable Energy Authority of Ireland (SEAI) administers the Better Energy Programme. My Department is advised by the SEAI that almost 119,700 homes have received energy efficiency upgrades under Better Energy: Homes since the scheme was launched in May 2009.

The Better Energy: Homes programme is demand-led and open to all homeowners of dwellings built before 2006. The Better Energy: Homes programme provides support to homeowners towards the installation of attic and wall insulation, and heating system upgrades including solar thermal with the works being undertaken by privately appointed contractors. The following table outlines the numbers of applications to Better Energy: Homes from 2009-2012 up to 31 March 2012. This also includes situations where a homeowner makes an application, accepts the offer but subsequently decides not to proceed with the application.

Year	Applications
2009	40,808
2010	68,854
2011	58,329
2012 (up to 31 March)	8,250
<b>Total</b>	<b>176,241</b>

The Better Energy: Warmer Homes scheme is available to low-income households and is delivered through a range of Community Based Organisations (CBOs), augmented by a panel of private contractors in order to ensure national coverage. The table below outlines the number of homes who have received upgrades under the Better Energy: Warmer Homes scheme from 2009-2012 up to 31 March 2012.

Year	Applications
2009	16,240
2010	24,291
2011	20,388
2012 (up to 31 March)	817
<b>Total</b>	<b>61,736</b>

The SEAI, at my request, is analysing the possible factors underlying the significant decline in applications to both schemes to date in 2012 and I expect to receive their findings shortly.

### Noise Pollution

145. **Deputy Arthur Spring** asked the Minister for the Environment, Community and Local Government the authority responsible for dealing with loud noise at night caused by dogs which are kept on a private residence in an urban environment; the process one should go through in order to have the problem dealt with; and if he will make a statement on the matter. [20867/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** In the first instance contact should be made with the Local Authority regarding loud noise caused by dogs.

If following the intervention of the Local Authority, a solution cannot be reached, a complaint can be made to the District Court about the nuisance caused by excessive barking of a dog. The legislative provisions for this are set out in Section 25 of the Control of Dogs Acts, 1986 and Section 108 of the Environmental Protection Agency Act, 1992. A person making such a complaint to the District Court must first serve notice on the occupier of the premises in which the dog is kept. Forms for this purpose are available from local authorities.

Under the Control of Dogs Act 1986 and 1992, a hearing can be arranged in the District Court at which the person affected by the noise and the dog owner attend. The District Court can make an order requiring the reduction of excessive barking by a dog, can limit the number of dogs that can be kept on a premises or can direct that a dog be delivered to a dog warden as an unwanted dog.

Local Authorities also have powers to investigate complaints about neighbourhood noise that affects quality of life under Section 108 of the Environmental Protection Agency Act 1992 and the Environmental Protection Agency Act 1992 (Noise) Regulations 1994.

### **Water Charges**

146. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government the position regarding premises in which water meters are already installed (details supplied); and if he will make a statement on the matter. [20643/12]

147. **Deputy James Bannon** asked the Minister for the Environment, Community and Local Government the constraints that have been put in place to ensure that the water metering, for which the public is being asked to foot the bill, will be the most up-to-date available and on-street with the least intrusion on private property and will not repeat the Departmental error in relation to the purchasing of e-voting machines, which were obsolete before they were installed and cost the taxpayer in excess of €55 million; and if he will make a statement on the matter. [20669/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I propose to take Questions Nos. 146 and 147 together.

I refer to the reply to Question Nos. 489, 498, 508, 511, 513, 539 and 542 of 24 April 2012 which sets out the position in this matter.

### **Departmental Expenditure**

148. **Deputy Niall Collins** asked the Minister for the Environment, Community and Local Government the amount spent on hair and make-up by his Department since February 2011; and if he will make a statement on the matter. [20692/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** My Department has not incurred any expenditure on hair and make-up since February 2011.

### **Ministerial Transport**

149. **Deputy Niall Collins** asked the Minister for the Environment, Community and Local Government the amount spent by his Department on drivers and Ministerial transport since February 2011; and if he will make a statement on the matter. [20708/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** My Department has spent €198,243.97 on Ministerial car transport arrangements since the formation of the Government.

### Local Authority Charges

150. **Deputy Paschal Donohoe** asked the Minister for the Environment, Community and Local Government the reason that residents in an area (details supplied) were exempt from the household charge but residents in another location were still liable despite its unfinished condition; and if he will make a statement on the matter. [20746/12]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** 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 categorisation 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.

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. 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 significantly as my Department continues to work with local authorities and other stakeholders to resolve outstanding issues, including through the Public Safety Initiative.

151. **Deputy Timmy Dooley** asked the Minister for the Environment, Community and Local Government if the persons who paid the household charge, but were later found to be not liable will receive a refund; and if he will make a statement on the matter. [20752/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The Local Government (Household Charge) Act 2011 provides the legislative basis for the household charge. Under the Act, 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.

Application for a refund of a household charge can be made by completing the refund form HC12B and returning it to the Household Charge Support Centre, PO Box 12168, Dublin 1. This form is available from the Household Charge Support Centre at the above address — LoCall 1890-357357 or 01-2224000. Alternatively the form may be downloaded from [www.householdcharge.ie](http://www.householdcharge.ie) or obtained from local authorities.

### **Construction Industry**

152. **Deputy John McGuinness** asked the Minister for the Environment, Community and Local Government further to Parliamentary Question No 585 of the 2 February 2010, if will confirm his policy and plans in the area of building regulations; his plans to further amend the various acts quoted in that reply; and if he will make a statement on the matter. [20753/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** In July 2011, I announced a number of measures to be advanced by my Department and local authorities with a view to improving compliance with, and oversight of, the requirements of the Building Regulations.

In broad terms the measures will involve:

(a) the introduction of mandatory certificates of compliance by builders and designers of buildings confirming that the statutory requirements of the Building Regulations have been met;

(b) the lodgement of drawings at both commencement and completion of construction, demonstrating how the building has been designed and built to comply with all parts of the Building Regulations;

(c) more efficient pooling of building control staff and resources across the local authority sector to ensure more effective oversight of building activity;

(d) standardised approaches and common protocols to ensure nationwide consistency in the administration of building control functions;

(e) better support and further development of the building control function nationwide.

I have recently released, for public consultation, proposed Building Control (Amendment) Regulations which will provide for mandatory certification and the lodgement of drawings as

[Deputy Phil Hogan.]

referred to at (a) and (b) above. The draft regulations and an explanatory document to inform the public consultation process are currently available on the Department's website *www.environ.ie*. The closing date for submissions in relation to the proposed regulations is 24 May 2012.

The other measures referred to above, relevant to more meaningful oversight of building activity by building control authorities and improved functioning of building control authorities, are being advanced separately by local authorities in consultation with the Department in the context of the wider programme of achieving greater efficiencies in the local government system.

Mandatory certification, lodgement of drawings and improved inspection arrangements as outlined above are key reforms which, I believe, will have the capacity to improve the quality of buildings and will lead to further strengthening of the regulatory regime as early as possible in 2012.

### **Consultancy Contracts**

153. **Deputy Niall Collins** asked the Minister for the Environment, Community and Local Government the amount paid on external public relations and communications consultants; the name of each organisation used; and if he will make a statement on the matter. [20781/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** No external public relations and communications consultants have been engaged by me or by Ministers of State in my Department since March 2011.

### **Local Authority Charges**

154. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government further to Parliamentary Question No. 143 of 19 April 2012, the amount of money it will cost directly and indirectly to write to 700,000 persons; and if he will make a statement on the matter. [20847/12]

**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 by 31 March 2012, 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, unless otherwise exempted or entitled to claim a waiver.

Under Section 12 of the Act, it is a function of a local authority to collect household charges and late payment penalties due to it and all household charges and late payment penalties imposed and payable to a local authority are under the care and management of the local authority concerned.

As such, it would be a matter for each county and city council to identify and to decide to make contact with those households who may have an outstanding liability to the household charge reminding them to discharge their liability and avoid the application of further late payment penalties. The quantum of the costs arising in the context of written communications to such households would be a matter for the councils concerned.

### Crime Prevention

155. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality if in view of the Garda Representative Association's condemnation of him, accusing him of being soft on crime, if he has any proposals to get tough on crime, and on persons who profiteer from crime and on the profits of crime; and if he will make a statement on the matter. [20644/12]

156. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality if, in view of the Garda Representative Association condemnation of him and his poor record on crime, where they reminded him of his previous statement when in opposition where he stated vast areas were becoming lawless wasteland, his has any plans to deal with these areas which have been identified as trouble spots when it comes to crime and policing in general; and if he will make a statement on the matter. [20645/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I propose to take Questions Nos. 155 and 156 together.

The suggestions referred to by the Deputy are, of course, baseless.

It should be noted that the Central Statistics Office crime statistics for 2011 show a welcome decrease in 11 of the 14 crime groups compared with 2010. These statistics reflect the capacity of An Garda Síochána, which continues to receive substantial resources, to respond effectively to emerging crime trends.

While some categories of property crime are up, the overall trend shows a decrease in most types of crime, including homicide, assault, criminal damage, and drug and public order offences.

I particularly welcome the reduction of more than a quarter in the number of murders. This reflects in part a reduction in the number of gang related killings in 2011, against a backdrop of significant enforcement as well as legislative measures to tackle and disrupt serious organised crime. In this regard, I have made it clear to the Garda Commissioner that I am open to considering any additional changes in the law which the Gardaí believe would be helpful in tackling the activities of organised criminals.

An Expert Group, established under the auspices of my Department, is currently engaged in a comprehensive review of the Proceeds of Crime legislation with a view to identifying possible improvements which 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 so as 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 cooperation.

When that work concludes later this year it is my intention to make available, in due course, the outcome of that review and to bring forward my proposals in the normal way.

As the Deputy will be aware, I have also commenced the Criminal Law (Defence and the Dwelling) Act 2011, which clarifies the law concerning the defence of the home.

Furthermore, and within eight week of taking up office, I moved urgently to draft and seek Government approval to the introduction of new legislation to tackle white collar crime. This new legislation, the Criminal Justice Act 2011, was enacted on 2 August 2011. Its main purpose

[Deputy Alan Shatter.]

is to address delays in the prosecution and investigation of complex white collar crime by improving certain important procedural matters and strengthening Garda investigative powers.

The details of the policing response to crime and lawlessness is of course an operational matter for the Garda authorities. However, I can inform the Deputy that all crime trends are monitored closely by Garda management, with appropriate intelligence-led initiatives put in place to target various types of crimes and I have every confidence that the Gardaí will continue to provide a robust response to criminal activity. The fact is that, week in week out, the Gardaí are successfully detecting offenders and bringing those people before the Courts and securing convictions. An Garda Síochána is also further disrupting criminal activity through significant seizures of drugs and firearms, with an estimated €65.5m worth of drugs and a total of 737 firearms seized last year.

In addition, the Deputy will also be aware of the Commissioner's recent announcement concerning the introduction of a new operation, Operation Fiacla, aimed at tackling mobile gangs involved in burglaries around the country as part of the response to recent crime trends. I cite this as simply being one of a wide range of targeted operations which An Garda Síochána has in place and which are making a real impact in terms of community safety throughout the country.

I can further inform the Deputy that I intend to build on existing work in order to put in place a National Anti-Crime Strategy, arising from the White Paper on Crime consultation process. This will provide a strategic framework for all of the measures in place to tackle crime, including prevention, intervention and enforcement measures, as well as measures to support victims. My intention is to publish this Strategy later this year and that it will help to guide our work to tackle crime into the future.

### **Garda Stations**

157. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality if, in view of the Garda Representative Association condemnation of him and their call upon him not to close any more garda station, he will review his statement whereby he stated garda stations were not required to police the countryside; and if he will make a statement on the matter.  
[20646/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am at a loss to understand the basis for the Deputy's assertion that I stated that Garda stations are not required to police the countryside.

What is at issue is not whether we need Garda stations, because of course we do, but whether we need the 703 Garda stations we have had more or less since the beginning of the State, a time when transport, communications and technology were vastly inferior to what we have today. This is also a very high number by international standards. Scotland, for example, a directly comparable jurisdiction, has less than half that number of police stations.

The Garda Commissioner, in his Policing Plan for 2012, proposed the closure this year of 39 Garda stations. Many of these stations were in any event only open for limited periods and 8 of them were completely non-operational, some for many years. In the Policing Plan the Garda Commissioner comments that "these decisions were only made after careful analysis and research and I am confident that this action will result in a more efficient delivery of policing services."

The purpose of these changes is to deploy members of the Garda Síochána more efficiently and to maximise the number available for front line operational duty, and that is an objective that everyone should support.

### Visa Applications

158. **Deputy Jack Wall** asked the Minister for Justice and Equality the reasons that persons (details supplied) have being refused a visa to visit their son in Ireland in view of the fact that he has never had any dependancy on the State in the twelve years that he has resided in Ireland; and if he will make a statement on the matter. [20679/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The persons referred to by the Deputy created a ‘C type’, i.e. short-stay, visa application on-line on 7 March, 2012. Following full consideration by a Visa Officer the application was refused on 11 April, 2012 as the reason for applying for the visa was contrary to general policy. Visas are not generally granted to dependent family members over the age of 18 to join persons granted residency in the State. Prior to a decision being reached clarification in relation to the type of visa being applied for in this case was sought from the reference in the State and it became apparent that the actual purpose of the journey to Ireland was different to that described in the visa application.

It is of course open to the person concerned to submit an appeal visa application prior to 11 June 2012. If doing so, the applicant should address the above-mentioned issue.

### Departmental Expenditure

159. **Deputy Niall Collins** asked the Minister for Justice and Equality the amount spent on hair and make-up by his Department since February 2011; and if he will make a statement on the matter. [20697/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I can inform the Deputy that my Department has not incurred any expenditure on hair or make-up since February 2011.

### Ministerial Transport

160. **Deputy Niall Collins** asked the Minister for Justice and Equality the amount spent by his Department on drivers and Ministerial transport since February 2011; and if he will make a statement on the matter. [20713/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** As the Deputy will be aware, the Government introduced a number of changes for the provision of Office Holder transport during 2011. One of the consequences of that decision was that the transport arrangements in place for Ministers of State became applicable to Government Ministers, subject to very limited exceptions on security grounds. In addition, it was decided that former Presidents and Taoisigh would only be supplied with official transport for important State occasions. The revised transport arrangements came into operation for Government Ministers on 1st May 2011 and for former Office Holders on 16th June 2011.

The Garda Commissioner is the Accounting Officer for the Garda Vote. In that context, I am informed by the Garda authorities that records in relation to the cost of providing Office Holder transport have not been maintained in a manner which would allow for the identification of costs associated with individual Office Holders. However, the Garda authorities have indicated that total expenditure on the provision of Office Holder transport in the period February 2011 to March 2012 was €4,625,296. The costs arising in 2011 included costs associated

[Deputy Alan Shatter.]

with this service prior to and after the change of Government, including under the new transport arrangements which have been introduced.

In 2010 expenditure on Office Holder transport amounted to €7.5m. In the circumstances significant savings have been achieved within the Garda Vote and I also understand that overall the revised arrangements have considerably reduced the level of expenditure on Ministerial transport.

### **Garda Districts**

161. **Deputy Dara Calleary** asked the Minister for Justice and Equality his plans to amalgamate Garda districts within the Carlow/Kildare Garda division, which, if any, Garda stations will be affected; and if he will make a statement on the matter. [20724/12]

162. **Deputy Dara Calleary** asked the Minister for Justice and Equality his plans to amalgamate Garda districts within the Waterford/Kilkenny Garda division, which, if any, Garda stations will be affected; and if he will make a statement on the matter. [20725/12]

163. **Deputy Dara Calleary** asked the Minister for Justice and Equality his plans to amalgamate Garda districts within the Cavan/Monaghan Garda division, which, if any, Garda stations will be affected; and if he will make a statement on the matter. [20726/12]

164. **Deputy Dara Calleary** asked the Minister for Justice and Equality his plans to amalgamate Garda districts within the Clare Garda division, which, if any, Garda stations will be affected; and if he will make a statement on the matter. [20727/12]

165. **Deputy Dara Calleary** asked the Minister for Justice and Equality his plans to amalgamate Garda districts within the Cork Garda division; which, if any, Garda stations will be affected [20728/12]

166. **Deputy Dara Calleary** asked the Minister for Justice and Equality his plans to amalgamate Garda districts within the Cork City Garda division; which, if any, Garda stations will be affected; and if he will make a statement on the matter. [20729/12]

167. **Deputy Dara Calleary** asked the Minister for Justice and Equality his plans to amalgamate Garda districts within the Donegal Garda division; which, if any, Garda stations will be affected; and if he will make a statement on the matter. [20730/12]

168. **Deputy Dara Calleary** asked the Minister for Justice and Equality his plans to amalgamate Garda districts within the Dublin Garda division; which, if any, Garda stations will be affected; and if he will make a statement on the matter. [20731/12]

169. **Deputy Dara Calleary** asked the Minister for Justice and Equality his plans to amalgamate Garda districts within the Galway Garda division; which, if any, Garda stations will be affected; and if he will make a statement on the matter. [20732/12]

170. **Deputy Dara Calleary** asked the Minister for Justice and Equality his plans to amalgamate Garda districts within the Kerry Garda division; which, if any, Garda stations will be affected; and if he will make a statement on the matter. [20733/12]

171. **Deputy Dara Calleary** asked the Minister for Justice and Equality his plans to amalgamate Garda districts within the Limerick Garda division; which, if any, Garda stations will be affected; and if he will make a statement on the matter. [20734/12]

172. **Deputy Dara Calleary** asked the Minister for Justice and Equality his plans to amalgamate Garda districts within the Laois/Offaly Garda division; which, if any, Garda stations will be affected; and if he will make a statement on the matter. [20735/12]

173. **Deputy Dara Calleary** asked the Minister for Justice and Equality his plans to amalgamate Garda districts within the Longford/Roscommon Garda division; which, if any, Garda stations will be affected; and if he will make a statement on the matter. [20736/12]

174. **Deputy Dara Calleary** asked the Minister for Justice and Equality his plans to amalgamate Garda districts within the Westmeath Garda division; which, if any, Garda stations will be affected; and if he will make a statement on the matter. [20737/12]

175. **Deputy Dara Calleary** asked the Minister for Justice and Equality his plans to amalgamate Garda districts within the Meath Garda division; which, if any, Garda stations will be affected; and if he will make a statement on the matter. [20738/12]

176. **Deputy Dara Calleary** asked the Minister for Justice and Equality his plans to amalgamate Garda districts within the Louth Garda division; which, if any, Garda stations will be affected; and if he will make a statement on the matter. [20739/12]

177. **Deputy Dara Calleary** asked the Minister for Justice and Equality his plans to amalgamate Garda districts within the Mayo Garda division; which, if any, Garda stations will be affected; and if he will make a statement on the matter. [20740/12]

178. **Deputy Dara Calleary** asked the Minister for Justice and Equality his plans to amalgamate Garda districts within the Sligo/Leitrim Garda division; which, if any, Garda stations will be affected; and if he will make a statement on the matter. [20741/12]

179. **Deputy Dara Calleary** asked the Minister for Justice and Equality his plans to amalgamate Garda districts within the Tipperary Garda division; which, if any, Garda stations will be affected; and if he will make a statement on the matter. [20742/12]

180. **Deputy Dara Calleary** asked the Minister for Justice and Equality his plans to amalgamate Garda districts within the Wexford Garda division; which, if any, Garda stations will be affected; and if he will make a statement on the matter. [20743/12]

181. **Deputy Dara Calleary** asked the Minister for Justice and Equality his plans to amalgamate Garda districts within the Wicklow Garda division; which, if any, Garda stations will be affected; and if he will make a statement on the matter. [20744/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I propose to take Questions Nos. 161 to 181, inclusive, together.

As the Deputy is aware, the Commissioner's Policing Plan for 2012, which I laid before both Houses of the Oireachtas on 5 December 2011, sets out, among other things, plans for the amalgamation of Garda Districts. On 29 April 2012 the Garda Districts of Abbeyleix and Portlaoise in the Laois/Offaly Garda Division and Laytown and Ashbourne in the Meath Garda Division will be amalgamated and form the new Portlaoise Garda District and Ashbourne Garda District respectively. The Policing Plan for 2013 has not yet been prepared and therefore it is not possible to say at this stage what it may contain.

### Liquor Licensing Laws

182. **Deputy Finian McGrath** asked the Minister for Justice and Equality if he will implement section 9 of the Intoxicating Liquor Act which would make the structural separation of alcohol a statutory requirement as well as introducing a ban on below cost selling. [20748/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The position is that during the period leading up to enactment of the Intoxicating Liquor Act 2008, bodies representing the mixed trading sector proposed implementation of a voluntary code of practice with an independent audit and oversight mechanism as an alternative to section 9 of the Act. A code of practice was subsequently drawn up and agreed between the Departments of Health and Children and Justice, Equality and Law Reform and the mixed trading sector.

A new body — Responsible Retailing of Alcohol in Ireland Ltd (RRAI) — was established by the mixed trading sector to oversee implementation of the Code and Mr Padraic While was appointed as independent Chairperson of RRAI. Following receipt of Mr White's third Compliance Report on the RRAI Code of Practice on the Display and Sale of Alcohol in Mixed Trading Premises in October last, I launched a public consultation process inviting views on the Report and, more generally, on the voluntary approach to implementing structural separation of alcohol products in such premises. I expect to be in a position to seek Government approval for proposals relating to future arrangements for the display and sale of alcohol products in mixed trading outlets in the coming weeks.

As regards restrictions on below cost selling of alcohol products, the recently published Report of the National Substance Misuse Strategy did not recommend such restrictions due to anticipated enforcement difficulties. The Report did however recommend the introduction of a legislative basis for minimum pricing per gram of alcohol. I understand that this proposal is being actively considered by the Department of Health in the context of the development of an Action Plan to address the Steering Group's recommendations.

### Proposed Legislation

183. **Deputy Kevin Humphreys** asked the Minister for Justice and Equality if he will consider renaming the Mental Capacity Bill the Legal Capacity Bill in order that the title is as non-discriminatory as possible; and if he will make a statement on the matter. [20749/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Short Title, along with other issues, is under consideration in finalising the text of the Bill which I expect to bring to Government for approval in the coming weeks.

184. **Deputy Kevin Humphreys** asked the Minister for Justice and Equality if he will include the right to advance directives within the Mental Capacity Bill in order that persons can plan ahead for times of acute mental ill health; and if he will make a statement on the matter. [20750/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Minister for Health has policy responsibility for mental health care. However, I can inform the Deputy that the Law Reform Commission excluded legislative reform for advance care directives involving mental health from the recommendations made in its 2009 report on Bioethics: Advance Care Directives. The Commission's view was that a separate analysis was required including the impact of the specific legislative framework contained in the Mental Health Act 2001, and the developing work of the Mental Health Commission in this area.

The Scheme of the Mental Capacity Bill published by my Department made no provision for mental health advance directives. The issue the Deputy raises remains a matter for further consideration.

### **Consultancy Contracts**

185. **Deputy Niall Collins** asked the Minister for Justice and Equality the amount paid on external public relations and communications consultants; the name of each organisation used; and if he will make a statement on the matter. [20786/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** There are no records to indicate that there were any payments made to External Public Relations or Communications Consultants by my Department during the period February 2011 to date.

### **Public Liability Insurance**

186. **Deputy Terence Flanagan** asked the Minister for Justice and Equality if there are any plans to bring about changes in the law in order that public liability insurance is made compulsory; and if he will make a statement on the matter. [20832/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I refer the Deputy to my reply to him in parliamentary question No. 57 of Wednesday, 21 March 2012. Policy relating to the area of public liability insurance does not fall within my remit as Minister for Justice, Equality and Defence.

### **Crime Levels**

187. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality the number of burglaries reported to Gardaí in the R District of the Dublin region for the years 2011 and to date in 2012; the number of persons arrested and charged to date; the number of successful convictions secured to date; the additional measures and resources Gardaí in the District are taking to tackle same; and if he will make a statement on the matter. [20868/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am informed by the Garda authorities that the R District consists of the Garda Sub-Districts of Coolock, Swords and Malahide. I am further informed that crime trends nationally, including burglary, are being monitored closely by senior Garda management with appropriate intelligence led initiatives being put in place to target this type of criminality. The Deputy will be aware of the Commissioner's recent announcement concerning the introduction of a new operation, Operation Fiacla, aimed at tackling mobile gangs involved in burglaries around the country.

In addition to these measures, Operation Acer was established in March 2012 in response to the recent increase in burglaries in the Dublin Metropolitan Region (DMR). The objective of this regional operation is to have a focused and integrated approach to criminals involved in committing burglaries by analysing specific target areas so that resources can be adequately deployed where necessary. This operation provides both a preventative and detection element and focuses on geographical areas and specific targets.

In combating burglaries in the R District, local Garda management has directed that regular patrols, Community Policing Units, Detective Units and Special Resource Units conduct checkpoints in areas of high incidents and in areas identified through analysis as vulnerable to this type of crime. In addition, enhanced case management has been introduced in relation to prolific offenders. This enables Gardaí to manage current charges before the Courts more effectively and to raise objections to bail on the grounds of re-offending, or on the basis of

[Deputy Alan Shatter.]

warrant history. Another valuable tool being utilised by An Garda Síochána is the Automatic Number Plate Recognition system (ANPR) present in Garda vehicles. This is being used to target suspect vehicles and routes used by criminals.

The ongoing work of Local Community Policing units allows Gardaí to visit and advise residents of the incidents of burglaries in their area, and to advise them of appropriate crime prevention strategies. In relation to the statistics requested by the Deputy, the Garda Síochána Act 2005 makes provision for the compilation and publication of crime statistics by the Central Statistics Office, as the national statistical agency, and the CSO has established a dedicated unit for this purpose. I have requested the CSO to provide relevant statistics directly to the Deputy.

### Defence Forces Personnel

188. **Deputy Terence Flanagan** asked the Minister for Defence the position regarding age restrictions in the Defence Forces band; and if he will make a statement on the matter. [20831/12]

**Minister for Defence (Deputy Alan Shatter):** A competition for the enlistment of instrumentalists in the Defence Forces School of Music is currently underway. The closing date for receipt of applications was 22 April 2012. The age requirement applicable to this competition is that candidates must be not less than 17 years of age and must be under 28 years of age on the date of enlistment. As the age requirement for this competition is of general application it is not possible at this stage to amend the conditions as advertised.

### Departmental Expenditure

189. **Deputy Niall Collins** asked the Minister for Defence the amount spent on hair and make-up by his Department since February 2011; and if he will make a statement on the matter. [20690/12]

**Minister for Defence (Deputy Alan Shatter):** My Department has not incurred any expenditure on hair and make up since February 2011.

### Ministerial Travel

190. **Deputy Niall Collins** asked the Minister for Defence the amount spent by his Department on drivers and Ministerial transport since February 2011; and if he will make a statement on the matter. [20706/12]

**Minister for Defence (Deputy Alan Shatter):** In accordance with Government Decision of 15 March 2011, I retain a State car and Garda drivers in my capacity as the Minister for Justice and Equality. The Government Chief Whip and Minister of State at the Department of the Taoiseach and the Department of Defence, Paul Kehoe T.D., is assigned two civilian drivers who were appointed in May 2011. The costs associated with the drivers since May 2011 is set out below. Any mileage and car related expenses paid to Minister of State Kehoe are a matter for the Department of the Taoiseach.

Table

Pay Related Costs	€76,904.05
Travel and Subsistence Expenses	€17,941.53

### Consultancy Contracts

191. **Deputy Niall Collins** asked the Minister for Defence the amount paid on external public relations and communications consultants; the name of each organisation used; and if he will make a statement on the matter. [20779/12]

**Minister for Defence (Deputy Alan Shatter):** My Department has not incurred any expenditure on external public relations or communications consultants since I took office in March 2011.

### Departmental Expenditure

192. **Deputy Niall Collins** asked the Minister for Agriculture, Food and the Marine the amount spent on hair and make-up by his Department since February 2011; and if he will make a statement on the matter. [20686/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** No cost to the Department arises.

### Ministerial Travel

193. **Deputy Niall Collins** asked the Minister for Agriculture, Food and the Marine the amount spent by his Department on drivers and Ministerial transport since February 2011; and if he will make a statement on the matter. [20702/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The total expenditure by my Department on Ministerial drivers and Ministerial transport expenses since February 2011 to date is €254,168.08. This amount includes the salary and subsistence costs of the drivers as well as the mileage expenses and transport costs for Ministers when on official business. Expenditure relates to claims submitted which do not include recent periods.

### Common Agricultural Policy

194. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the position regarding the farming industry (details supplied); and if he will make a statement on the matter. [20720/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The European Commission's proposals for the reform of the CAP post-2013 include a proposal to use 2014 as a reference year for establishing entitlements to future direct payments. I am, of course, aware that this proposal, as currently formulated, could create a number of problems both in the land rental market up to 2014 and in the establishment of entitlements.

Following my earlier contacts with the Commission on this issue — indeed before the proposals were finalised — I secured an improvement to the initial proposals in the form of an activation clause which ties the award of entitlements in 2014 to farming activity in 2011. I also raised the matter again with Commissioner Ciolos during his visit to Dublin in January, and I will continue to do so in my ongoing contacts with Member State colleagues and with the Commission.

I have advised farmers that they should not rush into investment or long-term leasing decisions on the basis of the current proposals. Detailed clarification and further negotiation remains to be done in this area. My objective at all times will be to ensure that the system of entitlements that is finally agreed will be in the best interests of productive and active farmers.

### Afforestation Programme

195. **Deputy John McGuinness** asked the Minister for Agriculture, Food and the Marine if an application for a felling licence will be issued to a person (details supplied) in County Kilkenny; if he will respond to the persons correspondence as a matter of urgency; and if he will make a statement on the matter. [20761/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The felling licence, applied for by the applicant, was issued to him on 12 January 2012. It was sent to the address for correspondence specified by him on the licence application form. The application was made in August 2011 but had to be referred for observations to Forestry Inspectorate and then to the National Parks and Wildlife Service before the Forest Service could issue the licence. I am informed that a query, received from the applicant on 16 April 2012, was replied to by the Forest Service on 17 April 2012 informing him that the licence was dispatched in January 2012.

### Grant Payments

196. **Deputy Denis Naughten** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Roscommon will be awarded payment; and if he will make a statement on the matter. [20768/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** An application under the Single Payment Scheme/Disadvantaged Areas Scheme was received from the person named on the 13 April 2011. This application was selected for and was the subject of a Ground Eligibility/Cross Compliance Inspection.

In the vast majority of inspected cases, including this case, amendments had to be made to the maps in order that the Land Parcel Identification System that is used for making payments to farmers is kept up-to-date.

This process was completed and payment to the person named under the Disadvantaged Area Scheme issued on the 29 December 2011 with payment under the Single Payment Scheme issuing on 5 January 2012.

### Consultancy Contracts

197. **Deputy Niall Collins** asked the Minister for Agriculture, Food and the Marine the amount paid on external public relations and communications consultants; the name of each organisation used; and if he will make a statement on the matter. [20775/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** My Department does not employ external public relations companies. Public relations advice, where required is provided by my Department's Press Office. It is not possible to provide costs for this service, as the work is carried out as part of the standard duties of the staff involved.

### Hazardous Waste Sites

198. **Deputy Catherine Murphy** asked the Minister for Agriculture, Food and the Marine the number of times the committee on clean up options for the former Irish Steel, ISPAT, site on Haulbowline Island, County Cork, has met; the dates of such meetings involved; the timescale for this group to finish its work; the budget required for remaining remedial works and where funding for this budget is to be sourced; and if he will make a statement on the matter. [20826/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** I have been authorised by the Government Decisions to take responsibility for overseeing the submission of an

application to the Environmental Protection Agency (EPA) to regularise the licensing status of the East Tip of the Ispat site in relation to the hazardous waste deposited there. In this context I established two groups. The Working Group has been established to advise and assist me and is chaired by an official of my Department. The Group consists of officials from Departments of Environment, Community and Local Government; Defence; Jobs, Enterprise and Innovation; Public Expenditure and Reform; Cork County Council and the Office of Public Works.

The second is a Steering Group to oversee the licence application and to act as a consultative forum for interested parties, to reflect the concerns of the community and to represent the public interest and the stakeholders. The Group is chaired by me with membership from the Naval Service, Cork Harbour Alliance for a Safe Environment (CHASE), Port of Cork, National Maritime College, local public representatives and the Working Group.

The Steering Group has met on three occasions to date — 29 July 2011 and 28 October 2011 and 24 February 2012. The Working Group has met on four occasions to date — 29 July 2011, 19 August 2011, 28 October 2011 and 24 February 2012.

It is envisaged that expenditure of €40m will be incurred to undertake the necessary capital works associated with landfill licence application for the East Tip. The money is to be channelled through my Department to Cork County Council, and drawn down by the Council on a phased basis as the work is carried out.

Cork County Council has developed a project plan involving seven phases to submit the licence application to the EPA. It envisages that the preparation of a waste licence application and all associated works to take 12-16 months and based on this timetable it is envisaged that the application will be made to the EPA in autumn of this year. The consideration of the licence by the EPA could take a minimum of nine months which indicates that the licence could be awarded in the summer of 2013.

### **Grant Payments**

199. **Deputy John Browne** asked the Minister for Agriculture, Food and the Marine when an area aid application will be approved in respect of a person (details supplied) in County Wexford. [20842/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The position with regard to this case is as outlined in reply to a question from the Deputy on 18 April 2011.

The person named does not hold any single payment entitlements. He applied to transfer 24.58 entitlements by way of lease from another farmer under the 2011 single payment scheme. EU Regulations governing the scheme provide that entitlements may only be leased if accompanied by an equivalent number of hectares of eligible land. The transfer of entitlements application was rejected as the person named did not declare any land or submit a single payment application form in 2011. He was notified of this decision on 28th September 2011.

### **Departmental Expenditure**

200. **Deputy Niall Collins** asked the Minister for Children and Youth Affairs the amount spent on hair and make-up by her Department since February 2011; and if she will make a statement on the matter. [20688/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** No costs have been incurred by my Department for the provision of hair and make-up services.

### Ministerial Transport

201. **Deputy Niall Collins** asked the Minister for Children and Youth Affairs the amount spent by her Department on drivers and Ministerial transport since February 2011; and if she will make a statement on the matter. [20704/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** In line with the Department of Public Expenditure and Reform guidelines on ministerial appointments, I employ two civilian drivers on a week on/week off basis to drive my private car on official business. Each driver receives €631.75 per week in respect of these duties and are not entitled to claim overtime. However, they are entitled to claim subsistence payments in respect of certified official travel at the appropriate Civil Service rates and under the regulations applying to such subsistence. A total of €4,469.02 has been paid since 2011 in this regard.

In addition, mileage claims totalling €15,173.55 in respect of the use of my personal car on official business have been paid.

### Consultancy Contracts

202. **Deputy Niall Collins** asked the Minister for Children and Youth Affairs the amount paid on external public relations and communications consultants; the name of each organisation used; and if she will make a statement on the matter. [20777/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** My Department was established on 2 June 2011. To date the Department of Children and Youth Affairs has not spent any money on communications and public relations consultants.

### Adoption Services

203. **Deputy Finian McGrath** asked the Minister for Children and Youth Affairs the options open to a person (details supplied). [20823/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** Issues relating to the level of fees charged by an accredited body are a matter for the Adoption Authority of Ireland (AAI) and are covered in some detail by the Adoption Act 2010 (Accredited Bodies) Regulations 2010. These regulations set out the standards which must be met by accredited bodies in order to satisfy the requirements of the Adoption Authority under the Adoption Act, 2010 (No. 21 of 2010) for entry in the register of accredited bodies.

The regulations set out, inter alia, the requirement for any body applying for accreditation to include in its Memorandum and Articles of Association that it is to be solely concerned with assisting in the adoption process on a not for profit basis. The regulations also set out a range of provisions in relation to financial reporting, fees and charges, including a provision that an accredited body shall submit to the Authority for prior approval its schedule of fees and any subsequent increases in fees or additions to the schedule.

It is a matter for the agency involved to work with each applicant during the adoption process having regard to the level of services required from the agency on an individual basis. My Department has brought the issue raised by the Deputy to the attention of the Adoption Authority.

### Health Services

204. **Deputy Billy Kelleher** asked the Minister for Health his plans for the Health Service Executive integrated primary healthcare for travellers project; and if he will make a statement on the matter. [20647/12]

**Minister for Health (Deputy James Reilly):** I assume the Deputy is referring to the Traveller Primary Health Care Projects operating across the country.

The HSE funds the Traveller Primary Health Care Projects (TPHCPs) which work in partnership with the HSE to deliver agreed actions within the HSE National Service Plan. These Projects provide a model of participation for Travellers in development of health services. The overall aim of the TPHCPs is to improve the health status and associated health outcomes of members of the Traveller community.

While the targeted approach used via TPHCPs is acknowledged as necessary in addressing the unique health needs of a vulnerable group, it is important to note that this also entails mainstreaming of Traveller health into primary health care. A key objective here involves development of closer links with HSE Primary Care Teams. A subgroup was established in March 2012 under the auspices of the HSE National Traveller Health Advisory Forum — a national body comprising HSE and Traveller representation — to further this aim. It is expected that this work will assist in enhancing access of Travellers to services within Primary Care Teams.

### Services for People with Disabilities

205. **Deputy Billy Kelleher** asked the Minister for Health the measures he will take regarding adequate supports for persons with reading problems, visual and hearing impairments using health care services; and if he will make a statement on the matter. [20648/12]

**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 to the Deputy.

### Health Service Reform

206. **Deputy Billy Kelleher** asked the Minister for Health the steps he has taken regarding establishing and utilising ethnic identifiers in healthcare systems; and if he will make a statement on the matter. [20649/12]

**Minister for Health (Deputy James Reilly):** The implementation of an ethnic identifier is a key element of ethnic equality monitoring as outlined in the HSE's National Intercultural Health Strategy 2007-2012. A pilot study was successfully conducted and this led to the development of the ethnic identifier that is currently in use in a number of clinical settings. A phased, prioritised program is now under way to extend the roll out of the ethnic identifier to capture key health information of minority ethnic groups in each HSE region.

### Hospital Services

207. **Deputy Michael Healy-Rae** asked the Minister for Health the position regarding Valentia Hospital (details supplied), County Kerry; and if he will make a statement on the matter. [20650/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** Those assignments will include an assignment to provide factual input to an NTPF review of nursing homes which, prior to the commencement of the Nursing Homes Support Scheme, received funding for long-term residential care under section 39 of the Health Act 2004. This would include Valentia Community Hospital.

### Long-Term Illness Scheme

208. **Deputy Arthur Spring** asked the Minister for Health when the necessary legislation will be enacted to provide general practitioner visit cards to long term illness claimants as part of

[Deputy Arthur Spring.]

the roll-out of a national chronic disease management programme for diabetes; the method with which diabetes patients will be informed of the enactment of this legislation; if the current medical card application form will be used to permit diabetes patients apply for the GP visit card; and if he will make a statement on the matter. [20668/12]

210. **Deputy Paudie Coffey** asked the Minister for Health when primary legislation will be published to facilitate the extension of free general practitioner care to all claimants of medicines under the long term illness scheme as announced in Budget 2012; and if he will make a statement on the matter. [20678/12]

229. **Deputy Alan Farrell** asked the Minister for Health if and when patients on the long term illness scheme who are not in receipt of a medical card will receive free general practitioner care; and if he will make a statement on the matter. [20879/12]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 208, 210 and 229 together.

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 GP Care within the first term of office of this Government.

Initially it is intended to extend GP cover without fees to persons with a defined illness. Primary legislation is required to give effect to this commitment. Once primary legislation has been approved by the Oireachtas, the details of the new arrangements will be announced. The Department is currently working on preparing legislation, which is intended to be published as soon as possible.

### Medical Cards

209. **Deputy Michael Healy-Rae** asked the Minister for Health the position regarding a medical card in respect of persons (details supplied) in County Kerry [20675/12]

**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.

*Question No. 210 answered with Question No. 208.*

### Mental Health Services

211. **Deputy Patrick Nulty** asked the Minister for Health if he will review as a matter of urgency plans to move the Dublin 15 Child and Adolescent Mental Health Service out of Dublin 15 and into Cherry Orchard Hospital; if he will take into account the concerns from the Under 18's Services Group in Dublin 15 that an area based response is integral to intensive care planning for young persons at risk in the area and that moving the service outside of Dublin 15 would effectively dismantle this essential infrastructure that is working so well there and that the rationale for local based services is that access for current and future clients could become a real barrier due to location; if he will consider the proposals put forward to keep the service in the area to ensure community needs are prioritised; and if he will make a statement on the matter. [20680/12]

**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.

### Departmental Staff

212. **Deputy Billy Kelleher** asked the Minister for Health the salaries and working hours of special development unit executives; the expenses of each of these executives; if there have been any changes in these since February 2012; and if he will make a statement on the matter. [20683/12]

**Minister for Health (Deputy James Reilly):** The information sought by the Deputy is currently being collated and I will forward it to the Deputy as soon as possible.

### Hospital Staff

213. **Deputy Billy Kelleher** asked the Minister for Health if he will provide in tabular form the hospitals at which consultants are in breach of their 80:20 public private mix; the maximum breach of the ratio; the number in each hospital; his views on whether this is impacting on waiting lists; the actions he is taking to address same; and if he will make a statement on the matter. [20685/12]

**Minister for Health (Deputy James Reilly):** The specific figures requested by the Deputy regarding consultant public/private practice ratios are not held by my Department. In this regard, the Health Service Executive has been requested to compile them and provide them to the Deputy as soon as possible.

One of my immediate priorities is to achieve more effective implementation of the 2008 Consultant Contract, including compliance with the public/private ratios specified therein, and to reform how services are delivered to patients.

The Health Sector Action Plan 2012, sets out, as one of its key priorities, ensuring full compliance by consultants with public/private ratios as contracted and as measured by the HIPE measurement system.

The HSE is at present preparing for the commencement of discussions with the consultant representative bodies under the PSA. These discussions are to begin shortly. This process will need to be focussed on the achievement of worthwhile and measurable change including compliance with the public/private practice ratios agreed in the 2008 Contract. I am satisfied that compliance and implementation of the other measures relating to consultants provided for in the Health Sector Action Plan will have a positive impact on waiting lists.

### Departmental Expenditure

214. **Deputy Niall Collins** asked the Minister for Health the amount spent on hair and make-up by his Department since February 2011; and if he will make a statement on the matter. [20695/12]

**Minister for Health (Deputy James Reilly):** The amount spent on hair and make-up by my Department since February 2011 is nil.

### Ministerial Transport

215. **Deputy Niall Collins** asked the Minister for Health the amount spent by his Department on drivers and Ministerial transport since February 2011; and if he will make a statement on the matter. [20711/12]

**Minister for Health (Deputy James Reilly):** The total amount spent by my Department on Ministerial transport for myself and two Ministers of State since February 2011 is €222,811.

### Accident and Emergency Services

216. **Deputy Billy Kelleher** asked the Minister for Health if he will provide in tabular form the average wait in each hospital accident and emergency; the number in each waiting more than 24 hours to be admitted; the number waiting more than 12 hours; and if he will make a statement on the matter. [20745/12]

**Minister for Health (Deputy James Reilly):** The information sought by the Deputy is not readily available. However I will have the data requested collated and I will forward it to the Deputy as soon as possible.

### Mental Health Services

217. **Deputy Kevin Humphreys** asked the Minister for Health if he will appoint an interim director of mental health until such time as the Health Service Executive Governance Bill passes in Dáil Éireann; and if he will make a statement on the matter. [20747/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** My colleague Minister Reilly intends to bring legislative proposals to Government to abolish the HSE Board structure under the Health Act 2004 and to provide for replacement governance structures and enhanced accountability arrangements. In tandem with the proposed new legal structures, new administrative structures will be put in place within the HSE which will reflect the need for a greater operational management focus on the delivery of key services and greater transparency about funding, service delivery and accountability. The planned new administrative structures are still under active consideration and it is not intended to appoint directors until the planning process is complete.

### Proposed Legislation

218. **Deputy Kevin Humphreys** asked the Minister for Health his views on whether the Mental Capacity Bill should legislate for advance directives in order that persons can plan ahead for times of acute mental ill health; if so, if he will discuss this issue with the Department of Justice and Equality; and if he will make a statement on the matter. [20751/12]

**Minister for Health (Deputy James Reilly):** The Government's mental health strategy, "A Vision for Change", promotes a more person-centred approach involving greater patient participation, which includes supporting mechanisms such as advance directives.

An advance directive (whether for general health care or for mental health treatment and care) is an instrument that enables individuals to express their autonomy by making their wishes known regarding their future treatment, should they subsequently lose capacity.

My Department is currently conducting a detailed review of the ethical, legal and practical issues pertaining to advance directives in order to establish the optimal mechanism for the progression of policy in this area.

As part of this process the Department is in contact with our colleagues in the Department of Justice and Equality.

### Medical Cards

219. **Deputy John McGuinness** asked the Minister for Health if a review of a medical card application will be expedited in respect of a person (details supplied) in County Kilkenny [20756/12]

**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

220. **Deputy Denis Naughten** asked the Minister for Health further to Parliamentary Question No. 458 of 11 October 2011, if he will provide an update; and if he will make a statement on the matter. [20769/12]

**Minister for Health (Deputy James Reilly):** The HSE has confirmed that, as yet, there is no formal national transfer scheme in place within the HSE for Public Health Nurses to facilitate such grades to transfer across HSE regions.

In the absence of such a transfer scheme, Public Health Nurses may apply for nationally advertised Public Health Nurse posts as and when they are advertised by the HSE's National Recruitment Service in order to relocate geographically. In applying for such posts, candidates are given the opportunity to indicate the areas where they wish to be considered for, should a position for filling become available.

The filling of approved posts for Public Health Nurses, whether by newly qualified Public Health Nurses or by transfer of existing Public Health Nurses, is a matter for HSE Primary Care Services to determine on a case by case basis.

### Consultancy Contracts

221. **Deputy Niall Collins** asked the Minister for Health the amount paid on external public relations and communications consultants; the name of each organisation used; and if he will make a statement on the matter. [20784/12]

**Minister for Health (Deputy James Reilly):** The Press and Communications Office of my Department liaise with the media on behalf of the Department as well as all Ministers and do not use the services of a PR company. My Department has not spent any money on public relations or communications consultants between 2009 and 2011. Information in respect of 2012 is not available at this time but will be collated and forwarded to the Deputy as soon as it is available.

### Medical Aids and Appliances

222. **Deputy Niall Collins** asked the Minister for Health when a specially adapted wheelchair will be provided by the Health Service Executive in respect of a person (details supplied) in County Limerick; and if he will make a statement on the matter. [20790/12]

**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.

### Hospital Waiting Lists

223. **Deputy Tom Fleming** asked the Minister for Health when a hospital appointment will issue in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [20798/12]

**Minister for Health (Deputy James Reilly):** I am determined to address the issues which cause unacceptable delays in patients receiving treatment in our hospitals. In this regard I have established the Special Delivery Unit (SDU), which will work to unblock access to acute services by dramatically improving the flow of patients through the system, and by streamlining waiting lists, including referrals from GPs. The SDU is working closely with its partner agencies — mainly the HSE and the NTPF.

[Deputy James Reilly.]

As this is a service matter, it has been referred to the HSE for direct reply. Should the patient's general practitioner consider that the patient's condition warrants an earlier appointment, he/she would be in the best position to take the matter up with the consultant and facility involved.

### Health Services

224. **Deputy Eric Byrne** asked the Minister for Health the position regarding respite care at a location (details supplied) in Dublin 8; and if he will make a statement on the matter. [20807/12]

**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.

### Pharmacy Services

225. **Deputy Gerry Adams** asked the Minister for Health further to Parliamentary Question No. 1226 of 18 April 2012, the level with which he has engaged with the European Commission on this issue; if any progress has been made in resolving the situation; if any options have been identified which might find a legal outcome to this issue; the number of persons affected by the situation; if any interim solutions will be put in place for persons who are affected by this issue; and the timeframe for bringing the issue to finality [20811/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** The difficulty that arises in relation to the recognition of UK 4 year pharmacist qualifications is not unique to Ireland, but applies to the recognition of those qualifications in all other Member States under the framework of the 2005 Directive.

My Department and the Pharmaceutical Society of Ireland (PSI), which is the competent authority in Ireland for the recognition of pharmacist professional qualifications, have both met and engaged in correspondence with the relevant division of the EU Commission on this issue. My Department and the PSI have also engaged with the UK Department of Health and the General Pharmaceutical Council.

Both my Department and the PSI have received legal advice on the options available to remedy this situation. This advice is being considered and further advice is being sought from the Attorney General's Office as a matter of urgency.

The PSI have advised that they are currently in receipt of seven applications for recognition and registration which are impacted by the change resulting from the repeal of the provisions of the 1985 Directives and the implementation of the 2005 Directive. My Department and the PSI are working closely to endeavour to find a legal means by which affected individuals can be registered as pharmacists in Ireland.

### Tobacco Industry

226. **Deputy Luke 'Ming' Flanagan** asked the Minister for Health if he will examine the possibility of compelling manufacturers and importers of tobacco products to fulfil their duties under Article 6 Section 1 of the Tobacco Products Directive 2001/37/EC, transposed into Irish Law via the European Communities (Manufacture, Presentation and Sale of Tobacco Products) Regulations 2003 that is, submit the ingredients in each of their products by brand and type, via the Electronic Model Tobacco Control system, which is currently used in Belgium, Denmark, Germany and the Netherlands; if he will instruct the National Tobacco Control Office to force the tobacco companies to do so; and if he will make a statement on the matter. [20834/12]

**Minister for Health (Deputy James Reilly):** As indicated by the Deputy there is a legal obligation on tobacco manufacturing companies and tobacco importers to provide a list to the Health Service Executive (HSE) of all ingredients used in the manufacture of their tobacco products. This is a legal requirement set out in Directive 2001/37/EC and given effect to in Irish law by S.I. No. 425/2003 — European Communities (Manufacture, Presentation and Sale of Tobacco Products) Regulations 2003. My Department is liaising with the National Tobacco Control Office, HSE in relation to this and other tobacco related matters.

#### **Pension Provisions**

227. **Deputy John Browne** asked the Minister for Health the total amount of pension payments paid by his Department to retired nurses of all disciplines for the years 2010 and 2011 [20840/12]

**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.

#### **Hospital Equipment**

228. **Deputy Thomas P. Broughan** asked the Minister for Health if he will allocate additional funding to purchase an extra MRI scanner for Beaumont Hospital, Dublin 9; and if he will make a statement on the matter. [20872/12]

**Minister for Health (Deputy James Reilly):** I believe we must concentrate on getting the best possible services for patients from the budgets available to us. The work of the Special Delivery Unit, together with implementation of the Clinical Care Programmes in the HSE, will help to improve the efficiency of our hospitals, allowing us to treat as many patients as possible within budget. In the current economic climate, the acute sector must reduce its costs in order to deliver the agreed level of activity within the resources available to it. The emphasis in 2012 will continue to be to make the most effective use of acute bed capacity through shorter lengths of stay, increased rates of day-of-surgery admission and more day surgery. In this way the acute hospital system can ensure that, within the level of resources available, it provides safe, effective and efficient care to the maximum number of patients. In relation to the specific query raised by the Deputy, as this is a service matter, it has been referred to the HSE for direct reply.

*Question No. 229 answered with Question No. 208.*

#### **Departmental Funding**

230. **Deputy David Stanton** asked the Minister for Health the amount of money made available to the Health Service Executive for IT innovation and procurement in 2008, 2009 and 2010 respectively; the amount of this expended in each year respectively; and if he will make a statement on the matter. [20954/12]

**Minister for Health (Deputy James Reilly):** The HSE receives capital funding each year for ICT enabled initiatives but there is no specific line item or categorisation for IT innovations or procurement. While some capitally funded projects could be viewed as innovative in their own right, the categorisation in this regard would be somewhat subjective. Policy in relation to the deployment of operational ICT systems in the HSE is primarily based on the application of mature, proven technologies. These are selected following a business needs analysis and a detailed specification of requirements for the particular system. These systems are then selected following public procurement exercises, in compliance with EU and national procurement rules. The HSE is currently engaging with the ICT industry to explore ways to collaborate on ICT innovation and research. In addition, my Department, in conjunction with the HSE, will be

[Deputy James Reilly.]

developing an eHealth strategy over the coming months which will support innovation within the sector.

### **Universal Health Insurance**

231. **Deputy David Stanton** asked the Minister for Health the plans, if any, he has put in place to enable the implementation of universal health insurance; the timescale for same; and if he will make a statement on the matter. [20955/12]

**Minister for Health (Deputy James Reilly):** The Government is committed to fundamental reform of the healthcare system with the objective of delivering a single tier health system, supported by universal health insurance, where access is based on need, not income.

I have established an Implementation Group on Universal Health Insurance which will play a key role in supporting the Government to deliver on this commitment. It is tasked with helping to develop detailed implementation plans for universal health insurance and to actively drive implementation of various elements of the health reform programme.

The Group held its first meeting on 1 March 2012 and a second meeting took place on 4 April 2012. A project team comprised of senior Department of Health officials has also been established to support the work of the Implementation Group.

The initial work of the Group will focus on overseeing reform work in relation to the following work streams:

- Hospital Financing (e.g. Money-follows-the-patient, Hospital Care Purchase Agency),
- Hospital Structures (e.g. Hospital Trusts),
- Regulation of the Hospital Sector (e.g. Patient Safety Authority, Licensing),
- Health Insurance Market (e.g. Risk Equalisation, Minimum Benefits),
- Overarching UHI Design (e.g. UHI legislative framework).

In conjunction with the Implementation Group, the Government has established a Universal Primary Care Project Team to oversee the introduction of universal primary care.

The reform programme is a complex and major undertaking that requires careful sequencing over a number of years. The Implementation Group will continue in existence throughout the health reform process and will oversee different elements of the reforms as they are being put in place. It is also intended that it will consult widely as part of the reform implementation process.

### **Departmental Expenditure**

232. **Deputy Niall Collins** asked the Minister for Transport, Tourism and Sport the amount spent on hair and make-up by his Department since February 2011; and if he will make a statement on the matter. [20700/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** There has been no expenditure by my Department on hair and make-up since February 2011.

### **Ministerial Transport**

233. **Deputy Niall Collins** asked the Minister for Transport, Tourism and Sport the amount spent by his Department on drivers and Ministerial transport since February 2011; and if he will make a statement on the matter. [20716/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The amount spent by the Minister for Transport, Tourism and Sport on drivers and Ministerial transport since February 2011 up until 2012 year to date is as follows:

Minister Varadkar	
Salaries for two drivers	€74,565
Subsistence paid to two drivers	€9,166
Mileage	€16,421
<b>Total Spend</b>	<b>€100,152</b>

For the Deputy's information, my predecessor was provided with a Ministerial car and a Garda driver. The cost and provision of which was not the responsibility of the Department of Transport. For the Deputy's information I am advised that the average cost of the provision of a State Car and Garda drivers during the last government was around €280,000 per annum.

Minister Kelly	
Salaries for two drivers	€77,692
Subsistence paid to two drivers	€14,329
Mileage	€13,597
<b>Total Spend</b>	<b>€105,618</b>

Minister Ring	
Salaries for two drivers	€76,034
Subsistence paid to two drivers	€15,184
Mileage	€24,939
<b>Total Spend</b>	<b>€116,157</b>

Details of expenditure on Ministers' transport by air is available at [www.dttas.ie](http://www.dttas.ie).

### Consultancy Contracts

234. **Deputy Niall Collins** asked the Minister for Transport, Tourism and Sport the amount paid on external public relations and communications consultants; the name of each organisation used; and if he will make a statement on the matter. [20789/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The amount spent on external public relations and communications consultants by my Department since its formation in March 2011 is €4,828. Communications Clinic were paid €3,860 and Montague Communications were paid €968 for the development, delivery and management of a publicity and advertising campaign in respect of Bike Week, 2011. Internal Departmental resources are used for such matters as far as is possible. However, occasionally external assistance may be required.

By way of comparison, I would draw the Deputy's attention to PQ 305 of the 14th December 2011 which shows that the average spend on external public relations and communications in the years 2006 to 2010 inclusive was €149,120.

### Departmental Funding

235. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport if he intends to allocate extra funding to attract additional major international events to come here in 2013, 2014 and 2015; and if he will make a statement on the matter. [20873/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The Programme for Government states that event tourism will be prioritised to continue to bring major fairs and events to Ireland. There is a strong programme of events for 2012, including the return of the Volvo Ocean Race to Galway, the US Navy-Notre Dame American Football game, the Tall Ships Race and the Bavaria motor racing demonstration event. A number of large conferences are also being held in Ireland this year that will bring major economic benefits and are expected to draw around 30,000 high-spending delegates such as the European City of Science conferences and the International Eucharistic Congress. Fáilte Ireland will continue to work with partners and promoters to develop events for future years based on an assessment in each case of the costs and benefits involved and available funding.

The funding available for the purpose of attracting major international tourism events to Ireland forms part of Fáilte Ireland's overall annual operating budget and the level of funding available will be decided as part of the annual estimates process.

### Road Network

236. **Deputy Martin Heydon** asked the Minister for Transport, Tourism and Sport his plans for the future development of the southern distributor route in Athy, County Kildare; if he accepts the need for and importance of this project being advanced; and if he will make a statement on the matter. [20883/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** 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. Works on such roads are a matter for the relevant local authority to be funded from its own resources supplemented by State road grants. The initial selection and prioritisation of works to be funded is also a matter for the Council. My Department received an application from Kildare County Council in November 2008 for 100% funding of the Athy Southern Distributor Road. A grant of €150,000 was allocated to the Council in 2011 to allow certain design and planning work on this project to be undertaken. I am advised that the total cost of the project is in excess of €34 million. As the Deputy will appreciate, given the current financial circumstances, I am not in a position to give any commitment regarding the provision of further funding for this project in the future. However, this is an issue the Deputy has raised with me on a number of occasions and I am aware of the importance of this road to Athy and to the south Leinster region. If and when the financial position of the state improves I would like to be in a position to support the advancement of this project.

The 2012 regional and local road grant funding has now been fully allocated and there are no further funds available from which an additional allocation could be made. It is open to Kildare County Council to progress this project through its own resources.