



DÍOSPÓIREACHTAÍ PARLAIMINTE  
PARLIAMENTARY DEBATES

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# DÁIL ÉIREANN

*Dé Máirt, 25 Meitheamh 2013*

*Tuesday, 25 June 2013*

Chuaigh an Ceann Comhairle i gceannas ar 11.00 a.m.

*Paidir.*

*Prayer.*

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## **European Union (Accession of the Republic of Croatia) (Access to the Labour Market) Bill 2013 [Seanad]: Second Stage**

**Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy John Perry):** I move: “That the Bill be now read a Second Time.”

I am very pleased to have the opportunity to introduce this Bill to this House. The Bill is short and technical in nature and gives effect to the Government’s decision on 30 April 2013 to permit access to the Irish labour market for nationals of Croatia upon its accession to the EU from 1 July 2013. The Bill was introduced and supported unanimously by the Seanad, and I look forward to our discussions here today.

I propose to summarise the background and context for the Bill and I will then explain the primary purpose of the Bill before briefly describing its sections. I welcome the cross-party support expressed so far to open access to the Irish labour market to Croatian nationals. The importance of maintaining and developing further Ireland’s already excellent relationship with Croatia was acknowledged by all contributors to the debate in the Seanad, and the Government’s decision to open access was warmly welcomed by the Croatian deputy prime minister on her recent visit to Ireland. The Government’s decision supports Ireland’s position on the need for continued EU solidarity and will facilitate productive engagement at EU level in the future. The timing is also opportune in that Croatia will now join the EU just after the conclusion of Ireland’s Presidency of the EU, having applied for membership of the EU under Ireland’s last Presidency.

I will turn to the background and context for the Bill. On 9 December 2011, Croatia signed the treaty of accession to become the EU’s 28th member state and Ireland signed the instrument of ratification for the Croatian accession treaty on 21 September 2012. I understand that the ratification process by the parliaments of all 27 EU member states is concluded and that the accession of Croatia to the EU is to take place on 1 July 2013. At its meeting on 30 April 2013, the Government considered the EU accession of Croatia and, based on Forfás analysis and other information available to my Department, agreed to permit access to the Irish labour market

for nationals of Croatia upon its accession to the EU from 1 July 2013. This decision reflects the low likelihood that Croatia's entry to the EU could have a distortionary impact on the Irish labour market. The Government agreed, therefore, that transitional arrangements should not be applied in the case of Croatian nationals seeking to work in Ireland following Croatia's accession to the EU.

The Government considered a number of factors when making its decision. It is highly unlikely that significant numbers of Croatians wish to migrate to Ireland given that Ireland's current economic status presents a very weak pull factor for Croatians and also international studies show that migration is heavily influenced by existing migrant populations and established social networks in the destination country. There is not a sufficient population of Croatians in Ireland at present to create an attracting factor. There is a very low propensity for Croatians to emigrate and where they do, they tend to emigrate to neighbouring European countries or North America. The size of Croatia's labour force is relatively small, with a total labour force of 1.78 million, with some 350,000 people in the 25 to 34 age group, which is generally the most mobile demographic of a country's population. Ireland's labour market, in line with EU obligations, is already open to an EU work force of 229 million people.

The Government decision pertains only to employment and Croatians would, in any event, enjoy certain rights afforded to all EU citizens from 1 July and would therefore be able to reside in Ireland subject to the residence directive. Such nationals will be able to study, work as self-employed, or establish businesses here, and applying restrictions to employment when it is possible to work as self-employed can increase the potential for undeclared work. Experience suggests that opening access to the Irish labour market may not have a significant impact on the State's services. The experience in respect of Bulgaria, a country with a labour market twice the size of Croatia and to which Ireland gave full access to its labour market in 2012, suggests that only a modest increase arose in respect of PPS registrations, which could not be described as having a distortionary impact on the Irish labour market. The rate of employment permit grants to nationals of Croatia has been running at approximately 12 per annum. At a practical level, were Ireland to restrict access to the labour market for nationals of Croatia, a separate employment permits system would have to be maintained to manage approximately 12 employment permits which would be difficult to justify.

As I have already mentioned, the Government also noted that Ireland has an excellent relationship with Croatia and that it is important this relationship is developed further for the benefit of both countries. It should be remembered that this is a reciprocal agreement which may benefit our nationals as well. As Ireland is opening access to its labour market to Croatian nationals, so too will Croatia open access to its labour market to Irish nationals.

With regard to the need for this legislation, under section 2 of the Employment Permits Acts 2003 to 2006, a foreign national is not required to have an employment permit where there is an entitlement to be in employment in the State pursuant to rights from the treaties governing the European Communities, including treaties as amended by the Treaty of Accession of the Republic of Croatia. However, under paragraph 2 of annex V of the treaty, the entitlement of Croatian nationals to employment for the first two years post-accession must be provided either by way of national measures or measures resulting from bilateral agreements. Therefore, a legislative amendment to the Employment Permits Act 2003 is required in order to exempt Croatian nationals from the requirement for an employment permit while not conferring any greater rights than those included in the treaty.

As I have already stated, the Bill is short and very technical in nature and it is hoped to be enacted by 1 July 2013. I will turn to the content of the Bill and outline briefly the content and purpose of the provisions, section by section. Section 2(1) (a) gives Croatian nationals employment rights equivalent to other EU nationals for the first two years post-accession and section 2(1)(b) ensures that Croatian nationals have the same employment rights as other EU nationals after the first two years post-accession. Section 2(2) ensures that the family members of Croatian workers have the same entitlements as the family members of other EU workers. Section 3 amends the Employment Permits Act 2003 so that Croatian nationals who have equivalent EU employment rights do not need an employment permit.

In conclusion, I would be happy to expand on any of the provisions during the course of this debate if Deputies wish to raise any particular issues and we will have an opportunity during Committee Stage to examine the Bill in detail. I look forward to hearing the contributions of Deputies during this debate and to the co-operation of the House in securing the Bill's early enactment. I commend this Bill to the House.

**Deputy Timmy Dooley:** I welcome the opportunity to contribute to this legislation, which gives effect to the accession to the EU of Croatia. Over the past two days, I had the opportunity to attend the COSAC meeting hosted by this Parliament in Dublin Castle, which was attended by the Ceann Comhairle who made a fine contribution to the workings of that event. The importance of the continued enlargement of the EU was very clear to those of us who are members of the Oireachtas Committee on European Affairs and who attend the various events around Europe associated with the continuation of that European project. The next phase of that enlargement is the accession of Croatia. Indeed, other countries at the meeting hold a status that will ultimately see them become members of the EU as they go through the various chapters of the east central Europe, ECE, region and reach the standard set for accession to the EU.

It is right and fitting that we continue to encourage those countries to work on the reorganisation of their economies and democracies and in addressing fraudulent activity that is endemic in some countries. We must give them encouragement to want to become part of the EU. A key part of that is showing that member states put no restrictions on membership. The EU has become important for many because it allows the free movement of people, goods and capital. If we at the outset were to start restricting in any way access to our labour market, it would send a very negative signal. I am struck by the level of negativity that exists among the population of our nearest neighbour, the kind of dialogue emerging there, particularly fronted by UKIP, and UKIP's efforts to depict the enlargement of the Union as a negative impact on the economies of member states. From the outset the founding fathers of the EU recognised the importance of sharing and pooling sovereignty to ensure that Europe was not just an economic powerhouse but the best potential for ensuring that the issues that divided the states of the EU for so long would no longer be part of the future. This is why some of the politicking from those who seek to use immigration as a platform for political success does far more damage to their own countries and citizens than they might like. It is why it is important for us to open our labour market at the outset to people from those countries which want to become good Europeans and participate in the EU.

As the Minister of State noted, the Bill is part of the integration of Croatia into the EU and is fully supported by Fianna Fáil and others in this House. The liberation of eastern Europe was one of the most momentous events of the 20th century. All former Communist countries should have an opportunity to share in the freedom and opportunities that membership of the EU brings. This includes access to labour markets. Ireland has had a very good relationships

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with Croatia, which first applied for candidate status during Ireland's last Presidency in 2004. There has been ongoing dialogue between parliamentarians, successive governments and elements of civil society. There is a Croatian community here, albeit a small one, that has business links and links through the various chambers of commerce. We have had some very good ambassadors from Croatia who have worked to develop a knowledge and understanding of how Ireland participates in the EU and who would admit they have gained a lot of knowledge that has assisted them in reaching the standard required to be a member of the EU.

All of this has not come without pain for Croatia. I have had the opportunity to visit Croatia on a number of occasions. The difficulties it has had in changing public service employment and support for the shipbuilding industry, which had to be de-leveraged from state ownership to join the Union and open up the market, are very clear. The changes did not come without a price. Unemployment has risen from about 14%, which is around the level here, to about 21%. It is very clear that Croatia has taken very significant steps that have impacted in the short term on its economy to reach the standard required to join the Union. Obviously, we wish Croatia well in that regard.

We must resist the scare-mongering about the impact of opening up our labour markets to additional accession countries. Erroneous assumptions regarding migrant intentions and behaviour must be challenged and we should see open labour markets as mutually beneficial for all EU states. I often think of the presence of so many nationalities in this country who perform such an important function in supporting the foreign direct investment that comes here. It is not just because we are an English-speaking country and have access to European markets that global leaders in the technology sector base their headquarters for Europe and further afield here. If we were to take a very negative position regarding encouraging people of other nationalities with their respective languages to come to work and live here, we would not be as attractive to the large multinationals. One sees the ongoing work in companies like Google and Facebook. The multiplicity of citizens from various countries who work in these companies are able to localise technologies and information for their respective markets. It is all being done here so if somebody thinks the potential for a relatively small number of Croats to come to live and work here is a negative, I would challenge that and say it is quite the opposite. It makes Ireland an attractive proposition for the further reception of foreign investment and the headquarters of those companies which form such an important part of our economy. In any case, under the EU residence directive, Croats would have the right to study, work as self-employed persons or establish businesses here. The Minister of State already mentioned that. Restricting the right to employment to someone who can work in a self-employed capacity will increase the potential for undeclared work.

After the Second World War Croatia became a single-party socialist federal unit of the Socialist Federal Republic of Yugoslavia ruled by the communists, although it enjoyed a degree of autonomy within that federation. Croatia is, as the Minister of State noted, the second former member of the Socialist Federal Republic of Yugoslavia to join the EU after Slovenia joined in 2004. Again, I had the opportunity to talk to some Slovenians over the past few days. The benefits to them have been enormous and the same benefits will accrue to Croatia. Under the treaty of accession, member states can choose to restrict the right of migrants to work in a particular sector for a two-year period. Following a review, this can be extended for a further three years. I am very pleased that the Government has decided not to use that provision. I welcome the Minister of State's decision in April to open up the Irish labour market for Croatian nationals upon Croatia's accession at the end of this month or the beginning of next month.

The size of the Croatian labour force is relatively small, at about 1.78 million people with some 350,000 people in the 25-34 cohort. That is usually from where the most likely migrant workers will come. Even with that particular cohort and given the percentage that has travelled here in the past, it is highly unlikely that it would have a destabilising impact on the economy. Notwithstanding the current level of unemployment, the Government's decision pertains only to employment. Croatians would, in any event, enjoy certain rights afforded to EU citizens. At the moment the Croatian economy is not competitive with ours. It is in its fifth straight year of recession and unemployment is at 21%. The current Government has embarked on a series of painful structural reforms including cuts to the country's bloated public services, a process that will pay dividends in the long run for Croatia but in the short term it will be very difficult for them.

I welcome the opportunity to support the legislation. I wish the Croatian people well in their accession to the European Union. I hope they have the opportunity to enjoy the benefits that Ireland has enjoyed. Notwithstanding the real pain being suffered through the current crisis, they have some very strong strands to their economy, particularly in the area of tourism, which I think will be enhanced due to accession, and one on which they can build. They are also a very friendly people, very similar to the Irish in many respects. I think that is why we have succeeded in building strong links with them. Mr. Neven Mimica who a former deputy prime minister and a good friend of many in this House because of his membership of the European affairs committee of the Croatian Parliament will become the Commissioner. He is a man of great intellect and ability and will be of great benefit to the other smaller member states which, in the past, have sought to club and pool their resources, ideas and collective strengths to act not as a bulwark against the larger member states but as a balancing influence on decision making within the European Union. Our relationship with Croatia and those bonds and links that go back to 2004 and further will be helpful from an Irish perspective in having a friend around the table from which we will share some ideas. It will be to the State's benefit that we have built that relationship in advance of their accession to the European Union.

**Deputy Peadar Tóibín:** Cuirim fáilte roimh an mBille seo. Cuirim fáilte freisin roimh mhuintir na Cróite atá ag teacht isteach san Aontas Eorpach i mí Iúil. Sinn Féin recognises the benefits and achievements of the European Union. The values that founded the EU could and should underpin the values and actions of today. Those values are solidarity, equality and the mutual benefit and growth. It is on these values that the many successes of the EU have been built, from reconstruction following the Second World War, tackling discrimination, the reunification of Germany, recognising and safeguarding human rights, protecting the environment, and promoting workers' rights. The European Union has played a valued role in the reconstruction of the infrastructure of the State and played a vital role in directing funds to support the peace process in the North of the country. When it has failed to uphold these values and founding principles it has caused great problems. When it failed to uphold solidarity, equality and mutual benefit and instead upheld the interests of particular states and particular nations or sections of the economy it has let down the people of the European Union.

Recently the economic management by the European Union has not reflected equality, solidarity and mutual benefit and growth but has been sectional in who it has sought to represent. The idea of a union of nation states gathering and working together in harmony and in consensus to arrive at a better future has been corroded and replaced by a number of nations working for their own specific interests to ensure their own bondholders and own banks have been repaid, to the extreme cost of many others. Many analysts have indicated that the tensions

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within the European Union are far greater than they were ten years ago and that there is anger and bitterness among those on the periphery in regard to the uneven development throughout Europe. The policies of austerity pursued by the current generation of political leaders in Europe continue to cause great damage to the economies of Europe and the vast majority of the people, particularly those on the periphery. The citizens of this State continue to pay the cost of bailing out the European banks and the bondholders and will do so long after this generation of politicians in this Oireachtas plus the European technocrats have retired.

There is a need for the EU to return to its roots and core values. There is a need for a social Europe, a Europe with people at its heart. That is why we will support the Bill. Croatia has sought to join the European Union and that has been agreed. Workers from Croatia should be entitled to enjoy the same rights as workers anywhere else in the European Union. The rights to free movement should not be restricted to goods and capital. A citizen of Croatia is fully entitled to reside in this State and, if so, is fully entitled to work and contribute to our economy and society. They must be given the same protections afforded to all workers in society such as the minimum wage and the terms and conditions of employment.

There are some in the State who may fall back on xenophobia and prejudice on this matter and will decry the opening of the flood gates. However, they should focus on the need to create a truly social Europe. They should not be allowed to scaremonger that development in the future. The current policies of the EU and the approach adopted by the Government has held down growth and sustained high unemployment, leading to increased poverty and disadvantage. As a result of the Government's policies, there is net migration away from the State. In the two years that the Government has been in office, 167,000 people have left the State through emigration. We are halfway through a decade of a lost generation. It is clear from the economy of Japan that due to its policies, it experienced a complete decade of a lost generation. Unfortunately, instead of experienced net inward migration, 240 people leave the State every day.

Croatia has a small population with a labour force of only 1.78 million. Of those currently resident in the EU, 91% reside in Germany, Italy and Austria. Under EU legal provision, citizens of Croatia are entitled to be self-employed and reside in this State. It is clear that it would be wrong if they were not to enjoy the same guarantees and protections as workers in the State. To make a half provision for Croatian workers would undermine their integration in the State. In the past two decades we have witnessed an enormous number of new Irish enter the country, many of whom are still on the edges of society. The State machinery which is necessary to integrate them into Irish society has been weak and has been weakened further through the policies of austerity of the Government.

Tomorrow a number of organisations will come to Leinster House and I hope that the Minister of State might be able to meet them. Cultúr is one of the organisations attending. It has been designed to help migrants integrate fully into society and the workforce but it faces funding challenges at present. I would love if the Minister of State, Deputy Perry, could attend the presentation tomorrow in the audiovisual room in Leinster House to hear from individuals who work with migrants.

It is important to examine the experience of Irish people abroad. Tens of thousands of Irish people have emigrated to the United States over recent decades and they are not afforded the right to work if they do not meet the necessary visa requirements and many of them have been caught in a trap. Members will know of individuals who have worked in the United States without the protection of labour law and do not get to contribute to the state through taxation.

Many of them cannot travel home to Ireland on visits even in cases where there is an emergency at home such as a funeral.

These Irish people work in an environment that allows for exploitation. We cannot and should not push any workers, including Croatian workers, into a legal grey area in which they can reside and be self-employed but cannot take on formal work. That makes no sense and is wrong. My party supports the legislation ós rud gur sin an rud ceart le déanamh le haghaidh gach oibrí a bheidh ag obair sa tír seo. It is right to ensure that Croatian workers have the full protection of legislation, that they are free from exploitation and can contribute fully to the economy. Their skills can help to drive the economy forward and enrich society. Croatian workers, although small in number, will add to our nation.

The legislation, like much other legislation in the State, has identified an anomaly between the North and South, and the previous speaker alluded to it earlier. Westminster will seek to have a different regime in Britain and the Six Counties of the North. At present, the control of immigration is not a devolved power but is retained by Westminster and is shaped to meet the needs of the British economy and British political system. It is led by the Tory Party which has no representation in the North of Ireland, having been rejected at general elections held there.

Differing approaches to immigration and workers' rights in the North and South on an island of this size makes no sense. We have an all-Ireland labour market that should not be contained by an arbitrary line on a map. The British Government has at this point made it clear that it will introduce restrictions on the employment of Croatian workers. Not only is that wrong but it creates major difficulties in the Irish context. Will a Croatian worker based in Dundalk be able to work for a company in Newry, six miles up the road? Will a Croatian living in Derry be able to find work in Lifford but not Strabane? On an island with a population of six million there should only be one immigration policy. Right now we are clever enough to have an all-Ireland policy and regulations for livestock but we will have different regulations on workers' rights on the island. I hope the Government will raise the issue with the British Government and stress the need to devolve such powers to the North to allow for the development and implementation of an all-Ireland approach to immigration.

The EU has provided many benefits for its members. It has delivered much in terms of workers' rights and created an enormous amount of growth. My party has been strongly critical of the EU's recent change of direction to a more centralised large country decision-making process and also to a marriage with austerity that has led to severe economic pain across the EU. My party has been critical for the purpose of trying to change those economic policies and creating a more social and equal Europe. Despite what the Government may claim, the policy of austerity has failed and has especially failed the economy.

The EU cannot solely be about the movement of capital and trade. It must be about the people. It is clear that Croatia has sought to join and this has been agreed. It is clear that we must afford Croatian workers full safeguards and protections in future. We support the legislation because it is the just thing to do for workers in this State as it will help prevent a two-tier experience for workers and ensure they compete against and work with other workers on the same level and not in a black market. The provision should be extended to the North of Ireland and I hope the Government will raise the matter at the next opportunity.

**Deputy Finian McGrath:** I thank the Ceann Comhairle for the opportunity to speak on this new legislation, the European Union (Accession of the Republic of Croatia) (Access to the

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Labour Market) Bill 2013. I warmly welcome the debate as, once again, it gives us all an opportunity to discuss Croatia, the European Union in general and other countries near Europe. The legislation comes at a very important time, particularly with the economic crisis and, as we have seen in recent days, some of the banking scandals that have happened in Ireland and other countries.

It is important when debating the accession of Croatia and the opportunity for its workers and people to come here that we broaden the debate and link it to the European Union and what kind of European Union and economic co-operation people want. Do they want a Europe comprising independent states or do they want closer integration? These issues are very important but they have been pushed under the carpet many times by many people, not only in this country but also across Europe. There is a huge disconnect between many citizens in Europe and the leadership of the European Union. Today's debate is important because it links into the broader aspects.

On examining the details of the legislation one can see that it deals with access to the Irish labour market by Croatian nationals following Croatia's accession to the European Union in July 2013. It also amends the Employment Permits Act 2003 in order that Croatians will not need work permits to work here. It also clarifies the rights of family members of Croatian nationals. Essentially, that is what the legislation is about.

I welcome and support the legislation. It is important that every Member examines every piece of legislation. We, in the Independent Group, will always adopt an independent view. If something is positive for people, the citizens of Europe or this country or for the rights of the citizens of Croatia, then it will have my 100% support. We can examine the nuts and bolts of the legislation later.

During today's debate we must also debate racism in society. We need to keep a close eye on racism because it is rampant across the European Union. Many people are very concerned about the emergence of racism again. It does exist but is under the radar. Many people seem to think it is not on the political scale in this country. However, many politicians will know from dealing with people one to one that racism is an issue for a minority in the State who have a lot of prejudice. We, as a society, must be vigilant and ensure that parties or politicians who represent that view are challenged. We know from history, from what happened during the World Wars and in South Africa, that racism issues can easily be on the agenda and have led to a lot of death and destruction. We must be vigilant.

There have been many cases of racism in this country. In the past 24 hours, the Stephen Lawrence case in London has emerged again as a race and racism issue. The Lawrence family has experienced major prejudice and there was gross incompetence on the part of the police force which dealt with the case. These types of situations happen in Ireland but people do not seem to think that they do. They happen regularly but many of the instances go unreported and it is only the ones resulting in fatalities that one reads about in the newspaper. We need to be vigilant and it is essential to state that during today's debate on Croatian accession to the EU. As for the details of this legislation, the Republic of Croatia will become the 28th member state of the European Union when it joins on 1 July 2013. While Croatian nationals will then have the right of free movement within the European Union, member states are permitted to apply national measures regulating Croatian nationals' access to the labour markets and this can be done initially for a period of up to five years. Measures regulating or restricting access to the labour markets are put in place for Romanians and Bulgarians by many European Union

member states. However, Ireland has chosen not to restrict access to the Irish labour market by Croatians. This is based on a belief held by many in the Government and the establishment in general that Croatians are unlikely to come to Ireland in such numbers that would distort the labour market. This means that restrictions similar to those placed on Bulgarians and Romanians will not apply to Croatians. The 2011 census showed that only 846 Croatians were living in Ireland and employment permit data show that only 12 employment permits were issued for Croatian nationals in 2012. Other countries, such as Germany, Austria and Britain are choosing to apply transitional access measures. This is what is going on in the current climate and Members should note the number of people who are coming here, in that 846 Croatians live in Ireland at present.

It is important to note that Ireland has a responsibility as a host nation to ensure their rights are protected as citizens both of this State and of broader European society. This leads on to the emigration issue because Ireland has its own problems with many people leaving because of the economic crisis and the great hardship experienced by many families. However, one issue that has never been mentioned in the context of discussions on emigration concerns the hundreds of millions of euro that are being spent to train teachers, nurses, professionals and physiotherapists. I have met many such people in recent weeks and reiterate that millions are being spent on their training but they are leaving for Australia, the Middle East or Europe. This is an issue in the context of the expenditure of public money, as this suddenly becomes money down the drain because such people are being forced to emigrate as a result of the economic crisis. This is an important point because while I have no problems about people who wish to emigrate and who seek adventure in their lives - good luck to them and I always encourage young people to do this if they get an opportunity, that is, those who have a choice - I refer to those who were leaving out of economic necessity. It is very sad when young and brilliant nurses or teachers who wish to work in their own country but who cannot get a job must go to Australia, New Zealand or Canada to get something. In addition, however, from an economic point of view hundreds of millions of euro have been spent training such people to work in another economy. Equally, when one considers this issue in the context of the broader European Union, it is important to note the inflow of immigrants who are professionally trained from other countries, particularly poorer countries, into Ireland. They are coming to Ireland because of economic necessity for them as well. My point is the European Union and its leadership must get its act together. Today, Members are discussing Croatia and defending people's rights as citizens but it is important to make the point that the European Union also must get its act together in respect of protecting and defending the rights of its citizens.

In the context of the debate on Croatia's accession, the current view is that it is highly unlikely that significant numbers of Croatians wish to emigrate to Ireland. The size of Croatia's labour force is relatively small, with a total labour force of 1.78 million people, of whom approximately 350,000 are within the 25 to 34 age group. Experience suggests that opening access to the Irish labour market may not have a significant impact on the State's services, especially when one sees figures such as the 846 people who are currently resident here. Allowing a person to be self-employed but not to be an employee can increase the chances of that person falling outside the tax net and this is a matter about which one must be vigilant. In addition, Ireland's current economic status means it is not a massive factor for people coming from other countries because the number of job vacancies is low, with the exception of areas experiencing shortfalls of skills. As for the skills issue, with which the Minister of State is dealing, Ireland has a major problem with regard to information technology skills and additional migrants to such sectors also would be very welcome.

International studies also show that migration is heavily influenced by existing migrant populations and established social networks in the destination country. EUROSTAT estimates that approximately 350,000 Croatian nationals currently reside within the extant European Union, with Germany, Austria and Italy accounting for 91% of such people. In addition, as I noted, 846 Croatian nationals are resident in Ireland. Therefore, there is not a sufficient population of Croatians in Ireland at present to create an attracting factor. A number of polls show the numbers of Croatians with firm intentions of leaving Croatia are relatively low. I understand that 0.1% of the adult population, or 4,000 people, have considered moving permanently from Croatia in the following 12 months and Ireland did not really appear on their listed destinations. This corresponds with the employment performance data, which indicate that only 12 employment permits were issued in 2012 in respect of Croatian nationals. Consequently, this pertains to a relatively small group of people and that is an important point when considering this issue.

Section 2(2) of the Bill addresses the rights of family members of Croatian nationals. Generally, when the national of a European Union member state requires a permit to work in another European Union member state, the family of that national are not then required to have work permits before they can work legally.

Before I continue, could the Ceann Comhairle consider my sharing five minutes at the end with Deputy Wallace?

**An Ceann Comhairle:** Is that agreed? Agreed.

**Deputy Finian McGrath:** As the Ceann Comhairle is aware, I am a very inclusive politician and I love sharing time with Deputy Wallace.

**Deputy Timmy Dooley:** Does this mean the Deputy will be bringing him back into the Technical Group?

**Deputy Finian McGrath:** Especially when he had a go at me last week in the Chamber.

**Deputy Mick Wallace:** I did not name the Deputy.

**Deputy Finian McGrath:** To revert to the Bill, section 2(2) addresses the rights of family members of Croatian nationals. This is an important section because one must understand the importance of family. It is all very well for someone to come to Ireland with a particular skill but such people must have rights here and their families and spouses also must have the right to be respected. Members have witnessed so many horrific cases in this regard and I heard of one case last week in which the State is attempting to deport a man from a violent country in crisis in Africa. There was a big hoo-ha at Dublin Airport but, eventually, I understand the deportation of the man was halted through the intervention of Deputy Mathews. In respect of such issues, it is important that families be kept together.

However, to return to Croatia, Members are aware from their geography and history books that Croatia has a population of 4.5 million, of which 86% are aged between 15 and 64. As I stated previously, the labour force comprises approximately 1.7 million people and its unemployment rate is approximately 18%, which is considerably higher than that in Ireland or Britain. An estimated 9,000 Croatian nationals live in Britain at present, while approximately 750,000 live in other countries. The number of Croatians who are resident in Britain only equates to approximately 5% of those who live in Germany, where I understand 245,000 Croatians reside. When one considers the skills that people from Croatia could bring to the State,

the three principal spoken foreign languages for Croatian nationals are English, German and Italian, which are spoken by 49%, 39% and 14%, respectively. Already, one can observe the international situation and how languages have become both a means of communication between peoples and a significant potential for job creation, particularly in Ireland, as many different nationalities want to even up their game and bring business to this country to learn English, in order that they can get ready to deal with the international markets. Consequently, it is important to deal with this issue.

In conclusion, I strongly support this legislation. It pertains to dealing with neighbours and colleagues and treating them with respect. Importantly, it also is about treating the citizens of Croatia and Ireland with dignity and respecting human rights properly.

**Deputy Mick Wallace:** I also welcome the decision to allow Croatians to work here once Croatia has joined the European Union, which is a positive measure. Too often, we have been more eager to facilitate the movement of goods than the movement of people and in the past, I recall we often were giving refugee status to people here but would not allow them to work, which was nonsensical.

I employed many hundreds of eastern Europeans in the construction business. They were very good workers, with a great attitude to work. Those people made a serious contribution to the Irish economy and many of them are still here. I assure people that the notion that these people are here to be subsidised by the State is completely wrong; any eastern European I ever met was very eager to work. Their attitude to work is very healthy.

The Irish have travelled the world to work and we take that for granted. God knows we need that at the moment as a release valve because there is no work here. Sometimes, however, we hear Irish people giving out about foreigners coming here and taking our work. It is mad that we think we should be allowed to go anywhere to work while putting restrictions in place for people coming here to work. It is very unfair. I am all in favour of the free movement of people and the right for people to work where they please.

Deputy Finian McGrath raised the issue of racism and I agree it is much more prevalent in Ireland than people would admit. I see a lot of racism all over the country and a greater mixing of cultures helps to combat that. Racism stems from intolerance. For too long we had the whole island to ourselves and then we suddenly had people of different creeds and colours coming in and it was a challenge to tolerate that. It is vital we do that because we will not be a mature race until we can accept the attitudes and opinions of others. God knows even at government level in many developed countries, there is a significant intolerance of others. Internationally, the most obvious example is the way we regard people of a Muslim background. It is very unfair. Anyone who looks Muslim going through an airport is far more likely to be stopped and searched than someone of Irish background. This is nothing short of racism. If we want peace in the world, the developed countries must be far more tolerant and accepting of Islamic culture. We have a lot to learn in this area.

Not only does Ireland need to grow up and tolerate other cultures, but Croatia must also learn something in this area. Only recently there was a qualifying game for the last European Championships in Italy involving Serbia and the game had to be called off because of racist behaviour. We have seen outbreaks of racist behaviour in eastern Europe and it will be good for them to mix more with other cultures. If they experience more of Europe than the countries on their borders, which has been the case until now, it will improve matters for them and help

them to see that if we are going to be good human beings, we must learn to live with each other and respect the entitlement of others to their views.

For the last 16 years I have brought a group of under-16 soccer players from Wexford to Italy. It always comes as a shock to them that there is a different way to look at things, on and off the pitch. It is an eye opener for them that not everyone sees things the same way they do. That is why it is good travel and that is why I welcome Croatian accession.

**Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy John Perry):** This has been a very interesting and informative debate and I thank Deputies for their comments. From a business point of view, this is the right thing to do, as well as from the viewpoint of international friendship. I recently went to Zagreb and there are tremendous business opportunities for SMEs. There are many similarities between the sectors in Croatia and Ireland. The Croatian economy is driven by the SME sector so there are great opportunities for Irish SMEs to do business in Croatia. Companies in Croatia want to internationalise. No doubt they have met Enterprise Ireland and are looking at levels of co-operation. With Ireland being an export-led economy, we can benefit from accession.

It is appropriate at this point to revisit the purpose of the Bill. On 30 April, the Government, having considered the EU accession of Croatia, agreed to permit access to Irish labour markets for Croatian nationals upon accession to the EU on 1 July 2013. This decision requires a legislative amendment to the Employment Permit Act 2003 and the Government, in reaching the decision to open access to Ireland's labour market for Croatian nationals, considered analysis conducted by Forfás and the Department. The Government is confident Croatian entry to the EU is unlikely to have a significant distortionary impact on the Irish labour market. The decision will mitigate the increased risk of undeclared work, which results in untaxed income and the displacement of legitimate employees through undercutting and will do much to maintain and develop Ireland's already excellent relationship with Croatia.

I thank Deputies Timmy Dooley, Peadar Tóibín, Finian McGrath and Mick Wallace for their contributions and agree with the point made by Deputy Dooley on the importance of maintaining Ireland's relationship with Croatia. At a series of recent meetings with the Tánaiste and the Minister of State, Deputy Creighton, the Croatian Deputy Prime Minister welcomed the Government decision to open the labour market to Croatian nationals. That reflects a significant level of co-operation.

Deputies Tóibín and McGrath pointed out that Britain will impose transitional arrangements and this position reflects political considerations. In addition, any decision taken by the British must take into account the fact that transitional arrangements remain in place for Romanian and Bulgarian nationals until the end of 2013. Equally, Germany and Austria are likely to introduce transitional employment arrangements and these decisions are influenced by the fact that Germany accounts for 68% of Croatian nationals resident in the EU, with Austria accounting for 16%. Germany has indicated, however, that it is likely to provide for favourable measures for those Croatian nationals who are highly skilled and Ireland must compete with other countries for those highly skilled migrants. It is worth noting that Italy, which is ranked highest destination country for Croatians, has already opened its labour markets to Croatia and the majority of Croatian workers in Italy are cross-border workers. I welcome Deputies' comments and agree that we are adopting a position that sends a strong message of solidarity across the EU.

Deputy Mick Wallace made a number of good points on multiculturalism, the importance of

exchange and opportunities for business. The European Union is a free market which is open for trade. Many of those from eastern Europe who have come to Ireland are working effectively and doing an excellent job. I concur with the Deputy's comments in this regard.

The accession of Croatia to the European Union will give Irish business people an excellent opportunity to establish businesses in Croatia. Not only is it the right thing to do, it is a win-win scenario for the Irish and Croatian economies. Further, it will create another friendship for Ireland internationally, it has few risks and it will be good for tourism. During my trip to Croatia, I met representatives of a number of Croatian companies which are anxious to develop business opportunities. They view Ireland's expertise in developing export-led growth as a unique opportunity. I thank Deputies for their constructive contributions to this debate.

Question put and agreed to.

**European Union (Accession of the Republic of Croatia) (Access to the Labour Market) Bill 2013 [Seanad]: Committee and Remaining Stages**

Sections 1 to 4, inclusive, agreed to.

Title agreed to.

Bill reported without amendment and received for final consideration.

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

**Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy John Perry):** I wish Croatia, the 28th member of the European Union, every possible success. I have no doubt accession to the Union will present significant opportunities for the country. The terms of Croatia's accession were agreed during the Irish Presidency in 2004 and the country will accede to the European Union on the day after our 2013 Presidency, which has received great acclamation, concludes. We have gone to the wire with this legislation, which is a great achievement. I am delighted the Bill has been passed speedily. I thank all the Deputies concerned and the civil servants who did substantial work on the Bill.

Question put and agreed to.

**An Leas-Cheann Comhairle:** A message shall be sent to the Seanad acquainting it accordingly. *Sitting suspended at 12.05 p.m. and resumed at 2 p.m.*

**Ceisteanna - Questions**

**Priority Questions**

**Hospital Charges**

71. **Deputy Billy Kelleher** asked the Minister for Health the measures he will take to reduce hospital costs for persons with health insurance; and if he will make a statement on the matter. [30750/13]

**Minister for Health (Deputy James Reilly):** I have consistently raised the issue of manag-

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ing costs with health insurers and I am determined to address rising costs in the sector in the interests of consumers. I want insurers to address the base cost of each element of claims which they pay. This is the real issue as costs and the manner in which they have been rising in recent years are unsustainable.

Last year I established the consultative forum on health insurance to generate ideas to address health insurance costs, while always respecting the requirements of competition law. I have made it clear to the health insurers that I believe significant savings can be made, ultimately reducing the impact of rising health costs on health insurance premiums for the consumer. Last week I announced the appointment of an independent chairperson to work with my Department and the insurers under the auspices of the consultative forum on health insurance. The chairperson will oversee a process of review to give effect to real cost reductions in the private health insurance market. Specific areas that I have asked insurers to address include an audit of the volume of procedures; a clinical audit to determine the appropriateness of procedures being claimed for; procedure-based payments, in particular with a view to their extension to the public health sector; and benchmarking to determine the underlying basis for the cost of specific procedures, with a view to driving costs downwards.

I am strongly of the view that all procedures should be provided in an appropriate setting that is safe and provides value for money for consumers. There have been criticisms from insurers of the decision to charge private patients in public beds. The new charge makes sense. We cannot continue with a situation where private patients pay only €75 per night in a public bed where the economic cost is closer to €1,000. Insurers need to address their own cost base urgently, rather than simply blaming others for their inefficiency. The independent chairman of the forum, working with the insurers and my Department, will be charged with identifying real scope for effective cost-management strategies that all insurers can adopt to ensure the long-term sustainability of the private health insurance market. The new chairman of the forum is Mr. Pat McLoughlin.

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

The continued participation of younger customers is important in keeping the health insurance market on a sustainable path. In addition to the work of the forum, my Department established a subgroup of the consultative forum earlier this year to consider regulatory issues relevant to the health insurance market, including proposals to encourage greater participation of younger, healthier people in the market. The appointment of an independent chairman to identify cost reductions and the ongoing work of the consultative forum to promote the participation of younger customers will address the cost of providing hospital care for the population who have private health insurance.

**Deputy Billy Kelleher:** The most prohibitive cost is the cost to people who are trying to retain private health insurance. The Minister says that the insurers can do a lot more to drive down costs but equally, the Department of Health could do a lot more to assist in driving down costs. For example, private health insurers negotiate with private hospital providers on payments for procedures, but this is still not possible in the case of public hospitals. Private health insurers cannot negotiate because the Department has set the prices in stone and this makes it very difficult for private health insurers to negotiate costs on the basis of procedures.

I accept that health cost inflation is well above the consumer price index, but the biggest issue causing private health insurers to force up premiums is the policy changes being announced

by the Minister. The most recent policy change was that involving payment for private patients in public beds, which will have a catastrophic effect on the private health insurance market. Families will simply be unable to sustain the escalating cost of private health insurance and this will cause further difficulties in the private health sector - and more important, in the public health sector, as more people will depend on it solely.

**Deputy James Reilly:** The bottom line is that it is the insurer, not the Department, that negotiates with private hospitals and consultants. Only insurers can address these ever-rising costs. They have to examine why they pay the level of costs they pay. I acknowledge the argument made by the Deputy. I am happy to engage, through my Department, with the insurers to talk about paying per procedure instead of paying per day in the public hospitals. I want both private and public hospitals to be efficient. I do not want people to be treated as inpatients when they could be treated as outpatients; nor do I want people being admitted to hospital the night before a procedure when they could be admitted on the day of the procedure. I am quite happy to discuss all these matters, through my Department, with the insurers. However, I remind the House that the health insurers are the only ones who can act on costs in the private hospital sector, and these costs are increasing all the time. In the past, the insurers have just passed on price increases to the consumer. Not enough has been done.

As Deputy Kelleher is aware, the Health (Amendment) Bill is before the Seanad this evening. I have to make a choice between being here to reply to his Topical Issue matter and being in the Seanad to deal with that Bill. The bottom line is that provisions to deal with the amounts to be charged for procedures will be introduced on Committee Stage. The insurance forum and the insurers now have an opportunity to propose some real and meaningful changes with regard to their costs and how they plan to address them. This will very much influence what figures will be included in the Bill on Committee Stage.

**Deputy Billy Kelleher:** The issue at stake is the private health insurance market *per se*, which is in crisis. The number of insured people is dropping all the time, with less than 50% of the population covered by private health insurance. This will put further pressure on public hospitals. In the meantime, private health insurers are incapable of negotiating with the public hospital system because the Department of Health sets the terms and costs for the public hospitals. There is a need to ensure competition between insurers and to ensure that public hospital services are used efficiently. Therefore, the Minister will need to allow private health insurers to negotiate with the public hospital system until we achieve this utopian system of universal health insurance. In the meantime, families cannot wait. The figures bear this out because they show the alarming number of families who are dropping out of health insurance altogether or reducing their cover.

**Deputy James Reilly:** I am dealing with a problem that was not addressed by the previous Government. We all know why we find ourselves in the current position, which is as a result of the Fianna Fáil-Anglo Irish Bank axis and the damage it did to this country. We will deal with the present-----

**Deputy Billy Kelleher:** That has nothing to do with private health insurance costs.

**Deputy James Reilly:** It has everything to do with the fact that 450,000 people are unemployed and many people cannot afford health insurance because they do not have a job. This is because of Deputy Kelleher's party and its Government's engagement with Anglo Irish Bank; the Government was hoodwinked by it.

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**Deputy Billy Kelleher:** It gives me more reason to believe this Government is incapable of having an investigation as a coalition.

**Deputy James Reilly:** Either criminal negligence or utter incompetence on the part of the Government was the cause of the problem we have to deal with. That Government was supposed to be in charge of the situation; the banks will be dealt with in due course. The bottom line is that we have an opportunity now to do something real to address the ever-escalating cost of private insurance - why we pay what we pay for particular procedures, why we pay per day instead of per procedure and why we do not have proper audit or clinical audit. If we address those matters, we can get real value for customers again and minimise increases into the future.

**Deputy Billy Kelleher:** Is that criminal negligence on behalf of banks or politicians?

### Childhood Obesity

72. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health his plans for the introduction of a national strategy for a childhood obesity prevention and intervention service; if he has engaged directly and, if not, if he will engage with the anchors or providers of the W82GO childhood obesity treatment programme at Temple Street Children's Hospital, Dublin; and if he will make a statement on the matter. [30747/13]

**(Deputy James Reilly):** As Minister for Health, I have made excess weight and obesity a public health priority. I have established the special action group on obesity, or SAGO, with which I meet regularly to further the obesity agenda. The range of measures being implemented by my Department seeks to promote healthy lifestyles, encourage adults and children to make healthier food choices and increase activeness. SAGO is working on a combination of priority actions which, taken together, should make a difference in the long term. These measures include calorie posting in restaurants, healthy eating guidelines, addressing the marketing of food and drink to children, treatment algorithms, opportunistic screening and monitoring for excess weight and obesity, addressing vending machines in schools and a physical activity plan. SAGO is also looking at ways to promote healthy eating in accordance with my Department's healthy-eating guidelines.

The health and well-being programme in the Department of Health is working with the HSE and *safefood* to develop an integrated advertising and promotional campaign for September 2013 to increase awareness among parents of the health challenges posed to their children by excess weight. The target audience of the campaign includes primary carers of children aged between one and 12 and key influencers, including health professionals, community development workers and educators. Key partners are being identified, as are opportunities for them to come on board and deliver some of their existing projects in the context of the broader campaign. The core message of the campaign will be broadly focused on families in general and will inform them of what to do if they recognise unhealthy behaviours, rather than focusing specifically on weight status. Body image issues and the stigma of being overweight or obese are critical factors to be borne in mind in all aspects of the campaign.

As Minister for Health, I arranged an informal EU ministerial meeting during our Presidency, of which, I am pleased to say, childhood excess weight and obesity issues were a key element. The European Union is drafting an action plan for member states to take this work forward.

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

The HSE has a significant involvement in addressing childhood obesity. This includes three intervention programmes and 18 national prevention programmes targeting children. There are also regional obesity intervention and prevention programmes. The HSE is also involved with the W82GO programme and has recently agreed that the programme will be expanded in Dublin. The HSE has also advised me that it will be training a further 12 people across the country and may extend the programme further next year.

**Deputy Caoimhghín Ó Caoláin:** Will the Minister clarify his plans, about which I asked in the first part of my question, for the introduction of a national strategy for a childhood obesity prevention and integration service? I am particularly keen to know if it is part of what he proposes to introduce.

At the meeting of the Joint Committee on Health and Children on Thursday, 13 June 2013, we were addressed by experts from Children's University Hospital Temple Street and the Irish Nutrition and Dietetic Institute. They were very clear in their analysis of the current and impending crisis of childhood obesity. They put forward recommendations to help address what the Minister and I agree is a very disturbing and serious issue. Among the recommendations made by the witnesses were sustainable Government funding for the evidence-based programme W82GO, which is run by Temple Street hospital for children who are clinically obese, co-ordinated and sustainable funding of an evidence-based community treatment programme such as Up4it, which was funded and supported by CAWT and had an impact in my constituency, and the appointment of a national post for obesity management. The other critical points made were on consistency and delivery and the engagement of the Government and the HSE with clinical experts, including those I mentioned. As I asked in the substantive question, will the Minister take the opportunity to meet with these expert voices?

**Deputy James Reilly:** I am in regular contact with the Department's team and its strategic action group on obesity. There has been a lot of involvement by the HSE in this regard. We are always happy to meet with people who have an interest in the area to support the initiative. This is the Department of Health but I often think it is the Department of ill-health, given that we are always dealing with disease and cure rather than prevention and trying to keep people well. We have a new Government initiative, involving all Departments, and an acknowledgement that the Department of Health alone cannot keep people healthy. We require the support of the Department of Education and Skills to educate children early on healthy lifestyles and good diets, the assistance of the Department of Justice and Equality in keeping places safe for people to exercise at night, the co-operation of the Department of Transport, Tourism and Sport to make it easier for people to walk and use public transport rather than driving from A to B, the assistance of the Department of the Environment, Community and Local Government in providing well-lit, safe footpaths and the assistance of the Department of Finance in respect of how it taxes various products, putting a lien on what is unhealthy and making fruit and healthier foods less expensive. It can also examine the VAT rate on vending machines. I will be making proposals to the Government about vending machines offering fresh fruit, water and perishables rather than sweetened fizzy drinks, chocolate and crisps.

**Deputy Caoimhghín Ó Caoláin:** I welcome the Minister's acknowledgement that this is a cross-departmental issue. He is right. It will require the enthusiastic involvement of the Departments of Transport, Tourism and Sport, Education and Skills, Children and Youth Affairs and, as the Minister mentioned, Justice and Equality. Is there cross-departmental engagement

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in a structured co-ordinated way as the Minister suggests is necessary?

With regard to the points commended to us by the experts at Temple Street hospital and the Irish Nutrition and Dietetic Institute, will the Minister give serious consideration to the appointment of a national post for obesity management? It is in the context of prevention rather than a fire-brigade reaction to situations that have gone far too wrong. We need prevention, and the appointment of such a post would be of huge importance. Is the Minister seriously commending to colleagues an increase in tax on sugary foods and fizzy drinks?

**Deputy James Reilly:** On the last topic, my position is known. We should be travelling in that direction, but I realise there are broader economic factors at play in the considerations of other ministries. I will pursue my goal and I believe it to be the most appropriate direction in which to travel.

The Healthy Ireland initiative is in its early stages and we are working to bring greater cohesiveness to it. We are the first Government to bring in an individual at principal officer level across the Departments of Health, Children and Youth Affairs and Education and Skills with responsibility for obesity. We are serious about tackling this and I am pleased Deputy Caoimhghín Ó Caoláin has raised it. If we do not tackle the epidemic of obesity and the resulting diabetes epidemic we see coming down the tracks, we may be the first generation to bury the generation behind us. That is not a legacy any parent wants.

### **Mental Health Services Provision**

73. **Deputy Luke 'Ming' Flanagan** asked the Minister for Health if he will confirm the location within County Roscommon of the units (details supplied) referred to in A Vision for Change for the care, treatment and rehabilitation of persons with difficult to manage behaviours; the date on which they will be operational; the location of the regional forensic mental health units; the location at which patients currently in need of this provision will be treated and detained; with regard to the Roscommon mental health service, if he will give details of the development plan for the roll out of A Vision for Change and the timescale envisaged; and if he will make a statement on the matter. [30653/13]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** Addressing the generally accepted historic deficiencies in both the capital and non-capital aspects of our mental health services remains a priority for the Government. This is reflected in the fact that we are following through on our programme for Government commitments, with some €70 million provided this year and last year for a range of new posts and other specific initiatives relating to mental health and suicide prevention. Notwithstanding progress on addressing the overall financial pressures still facing the country and the demands being placed on all areas of the care system, the HSE mental health budget increased this year, from approximately €711 million in 2012 to €733 million in 2013. The HSE service plan for this year indicates that the Galway-Roscommon local health office will receive approximately €69 million for mental health services in 2013.

The Deputy will appreciate that the HSE has statutory and operational responsibility for the planning and delivery of services at local level, including for the Roscommon area. It should be noted that the *per capita* spend on mental health services across Galway-Roscommon is the second highest in HSE West, at €220 per head of population, and is significantly above the

national average spend of €160 per head. In short, there are significant resources in Galway and Roscommon mental health services, but there is also a need to review the current configuration of services. Both community and inpatient services are provided in Roscommon and are deemed to be the one entity in the context of the Galway-Roscommon local health office area.

Replacing the Central Mental Hospital, CMH, with an appropriate modern facility is one of the priority health projects set out in Infrastructure and Capital Investment 2012-2016: Medium Term Exchequer Framework. The Minister for Health announced in November 2011 that the CMH would be located at St. Ita's, Portrane, County Dublin. This project includes replacement of the CMH and also development of associated new facilities. Four regional intensive care rehabilitation units, ICRUs, are also planned, one of which will be located at Portrane. The further three ICRUs will be located in Cork, Galway and Mullingar.

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

A steering group for this project is in place and members include representatives from the Department of Health, the HSE, the Central Mental Hospital, the National Development Finance Agency and representatives from appropriate non-statutory stakeholder groups. The design team appointed in July 2012 is advancing the design for the project and this work is progressing satisfactorily. The most up-to-date position on reconfiguration of the national forensic mental health service facilities is contained in the current HSE capital programme.

On the wider implications raised in the question, implementation of A Vision for Change, the report of the expert group on mental health policy in 2006, and the reform of mental health services are a priority for the Government. Although implementation of A Vision for Change has been somewhat slower than expected, a great deal of progress has been made with the accelerated closure of old psychiatric hospitals and their replacement with bespoke new facilities, better suited to modern mental health care. Progress also includes shorter episodes of inpatient care and the involvement of service users in all aspects of mental health policy, service planning and delivery. There has been a considerable decline in the number of patients resident in psychiatric facilities, with numbers falling from 10,621 in 1987, to 2,812 in March 2010, representing a reduction of 73%.

A modern mental health service is best delivered in the community and in this regard the Government has provided an additional €70 million and almost 900 additional posts in the past two budgets, primarily to further strengthen community mental health teams in both adult and children's mental health services, to develop forensic services, to advance activities in the area of suicide prevention, to initiate the provision of psychological and counselling services in primary care specifically for people with mental health problems, and to facilitate the relocation of mental health service users from institutional care to more independent living arrangements in their communities, in line with A Vision for Change. It is expected that the appointment by the HSE of a new director for mental health in the near future will greatly accelerate the pace of implementation.

**Deputy Luke 'Ming' Flanagan:** I know the Minister of State is trying and is putting money into the service, but people are not happy with it. It is a very sensitive issue to discuss, but if people who have relations in the unit in Roscommon hospital are worried about it and telling me it is an appalling situation that must be addressed immediately, one must make a choice. One can either talk about it openly and potentially be accused of making people wary of using the services, or keep quiet about it, which lessens the chance that something will be done

to solve the problems. There are problems, regardless of what people might admit is causing them, be it staff shortages or the requirement for a secure unit or whatever acronym one wishes to use for it. In fact, the lack of a secure unit is causing a major problem. It is causing a logjam which means that nurses and staff must be taken out of the community to deal with difficult situations in the unit. As a result, people who go to the local services in order that they can avoid going to the acute services end up having nowhere else to go but the acute services. Obviously something must be done.

**Deputy Kathleen Lynch:** I thank the Deputy for his question. The language used today is better. Ultimately, it is about language and we must be very careful not to discourage people from using the service when they need it. This is not a resources issue. There are 890 people working in the Galway-Roscommon service. They might not be in the right place, but they are in that area.

Those who work in this service have always dealt with very difficult people. It is the nature of the illness that people are unpredictable and do things unexpectedly. That is the reason we have professionals working in this area. We are working on this issue and must reconfigure the service. If we can have a service with the same number of staff relative to the same population base in other areas of the country that is an excellent, community-based service, clearly we must examine why that is not happening in Galway-Roscommon. I genuinely believe people must embrace change. I constantly hear calls for the roll-out of A Vision for Change and people saying it is not happening quickly enough, yet when one starts to do this, one tends to meet these bottlenecks. We really must begin to look at putting the service user at the centre of all of this. I have no doubt that people are worried. Having listened to debate of the type heard on the radio over the past two weeks, I would also be worried if I had somebody requiring the service. However, there is no need to be worried as we have a service that can be excellent. It is a safe and secure service.

**Deputy Luke 'Ming' Flanagan:** The bottleneck is not created by staff being unwilling to do X, Y or Z; it exists because when a very difficult patient who requires a far higher level of care than others is put in an unsuitable unit without CCTV and one-to-one care, rather than a purpose-built unit to ensure both staff and patient are safe, it creates a pull from the very community services that the Minister of State is advocating people should use. The lack of a secure, purpose-built unit is one of the major problems, although I acknowledge it would not solve the problem entirely. This needs to be dealt with quickly.

I understand that Ms Catherine Cunningham from the PCCC service and others are to meet the Minister of State in the next week or so on this issue. Even if they receive the thumbs-up and the Minister of State has a cheque on the day, progress will take some time. In the meantime, there will be a backlog. Even today, two families have contacted me on this matter, and they are still expressing serious concern. I hate to have to say that because it worries those who need to use the service. If it is a fact, however, it is a fact. All of these people cannot be wrong and they have nothing to gain from taking their stance. All they are getting out of it is absolute worry about their nearest and dearest who are at their lowest possible ebb.

**Deputy Kathleen Lynch:** Worry is not a basis for not using the service. The types of language and debate we have heard on this issue are such that I am not surprised people are worried. People who present with very challenging behaviour have always been dealt with by the service. That is what the mental health service does. In the main, 95% of people can be dealt with in the community but there will always be those who will require the acute unit and those

who present with challenging behaviour.

The Central Mental Hospital, under Professor Harry Kennedy, has now developed a very good outreach service to guide local services for people who present with challenging behaviour. Before any call was made, he was already working on this because that is what the service does. The staff, who are specialists, are good at this, and that is what they do.

I acknowledge that Deputy Luke ‘Ming’ Flanagan has an interest in this area; there is no doubt about it. I plead with people to allow us to get on with what we need to do with mental health services. Let us reassure families who need reassurance that when their loved ones seek to avail of a service, it will not only be available but will also be safe and secure. We need to reconfigure, however. We cannot have a community-based service if all our staff are in the acute unit.

With regard to the review of the Mental Health Act, whose outcome I cannot predict, I have asked that the Mental Health Commission, which licenses only the acute unit, thereby resulting in the unit’s very specific numbers, to start to license community-based programmes also so there will not be a continuous draw from those programmes.

### **Primary Care Services Provision**

74. **Deputy Billy Kelleher** asked the Minister for Health the timeframe for the delivery of the primary care commitments in the programme for Government; and if he will make a statement on the matter. [30751/13]

**Minister of State at the Department of Health (Deputy Alex White) (Deputy Alex White):** The Government is committed to introducing, on a phased basis, a universal GP service without fees within its first term of office, as set out in the programme for Government and the future health strategy framework. This policy constitutes a fundamental element in the Government’s health reform programme. This is the first Government in the history of this State to commit itself to implementing a universal GP service for the entire population.

It has become clear that the legal and administrative framework required to provide a robust basis for eligibility for a GP service based on having a particular medical condition is likely to be overly complex and bureaucratic. Relatively complex primary legislation would be required to provide a GP service to a person on the basis of him or her having a particular illness. The assessment system for such an approach would have to be robust, objective and auditable to have the confidence of this House as well as the general public. This legislation would have to address how a person could be certified as having such an illness, and who could do this, and how to select the diagnostic basis for medical conditions. There would also be a need for secondary legislation to give full effect to this approach for each condition. While it would not be impossible to achieve this, it would take several months more to finalise the primary legislation, followed then by the preparation of statutory instruments. This would entail putting in place a cumbersome legal and administrative infrastructure to deal with what is only a temporary first phase on the way to universal GP service to the entire population.

However, the Government is firmly committed to introducing a universal service within this term. The Cabinet committee on health has discussed the issues relating to the roll-out of the universal GP service. In doing so, it has considered the delay in the initial step and the impor-

tance of weighing the balance between, on the one hand, resolving the legal issues but with a further delay and, on the other, the need to bring forward an important programme for Government commitment with the minimum of further delay.

It has been agreed that a number of alternative options should be set out with regard to the phased implementation of a universal GP service without fees. The Minister and I have updated the Taoiseach on this matter and we expect to report back to the Cabinet committee in the near future. As part of this work, consideration is being given to the approaches, timing and financial implications of the phased implementation of this universal health service.

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

The Government has already made clear its commitment to delivering on the implementation of a GP service for the entire population by providing additional financial resources in the two most recent budgets. The HSE Vote now contains funding of €30 million for this year for an initial phase of the provision of GP services as part of this programme for Government commitment. The Government is determined to expedite the implementation of a national GP service for the entire population, something to which no previous Government has ever aspired.

**Deputy Billy Kelleher:** The Government's credibility on this issue has been shattered. The programme for Government states, "Access to primary care without fees will be extended in the first year to claimants of free drugs under the long-term illness scheme at a cost of €17 million". We are in year three and there has been no roll-out of free GP care for long-term illness claimants nor has there been any form of expansion. We are no wiser about the Government position on the need for primary or secondary legislation or as to what will happen to ensure the programme for Government commitment is honoured during its term. The Minister of State said the Cabinet has been apprised of the issue and a decision will be made in the near future. Five weeks ago, we were told it would take six weeks for the Minister to come back with proposals on the best way forward to address this issue. The cost to the Exchequer of the full roll-out of this service will be €500 million in year five of the Government's term but the Minister of State could not even secure the €17 million required to cover long-term illness claimants. The senior Minister snaffled that last year. What is the position on the long-term illness commitment and the commitment to roll-out primary care in the programme for Government?

**Deputy Alex White:** The Deputy referred to credibility. Not only did the Government of which he was a supporter and a member not get around to extending universal GP care but it had a policy opposing it. It is extraordinary for him to raise the credibility of this Government in those circumstances, given the policy position of the previous Government in opposition to universal health care. He will be wiser within weeks. We told the House that we will come forward with our alternative workable and achievable proposals in this regard by the summer. We are on course to do that and the Minister and I have discussed the issue as late as this week. We are having intensive work done. I have been engaged in intensive work on this in recent weeks. I have worked harder on this issue than any other in the Department to put together a set of proposals with their delivery times outlined, which is something we have not witnessed from any Government in the history of the State in the context of universal GP care, given its importance in the management of chronic illness and across the board. Money will be available and the Government has made clear its commitment to delivering on the implementation of this service. The HSE Vote contains funding of €30 million for this year for the initial phase of the provision of the service. The Government will deliver, as distinct from fail to deliver, on this fundamental element of health policy of the party opposite.

**Deputy Billy Kelleher:** I never questioned the Minister of State's commitment but his delivery of this proposal is at stake here. The difficulty is that while we are discussing these grand plans, letters are being circulated to people throughout the country, some in their 70s and 80s, by the primary care reimbursement service requesting a review of their medical card entitlement. I have raised this issue time and again, including with the Taoiseach. A constituent came to me in recent days whose wife has undergone a double mastectomy but who, because the household income is just above the threshold, will not retain her medical card.

**Deputy Alex White:** People who are entitled to a medical card will retain it. The Deputy is misleading the House.

**Deputy Billy Kelleher:** I certainly am not. I have raised this issue on many occasions. The case I mentioned is just one example of the circumstances in which people throughout the country now find themselves, as every Member of this House will attest. While we are discussing the Government's grand plan for primary care provision, people are being terrorised because they have been randomly selected by a computer system to have their eligibility for a medical card reviewed.

**Deputy Alex White:** The Deputy is being irresponsible in the language he is using.

**Deputy Billy Kelleher:** Some 40,000 people have already been selected for review, as far as I can ascertain. The grand plan has been announced but the day-to-day reality is that medical cards are being withdrawn and people who would previously have qualified on discretionary grounds are no longer being accommodated. That is the truth of the matter.

**Deputy Alex White:** The Deputy should not use words like "terrorise" in this context. An additional 100,000 medical cards are being issued this year, although I accept that 40,000 have been reduced to GP-only cards. Additional cards are being issued all the time by the Health Service Executive.

**Deputy Billy Kelleher:** Not on a discretionary basis.

**Deputy Alex White:** To be clear, any person who is entitled to a medical card will retain it. I absolutely support the HSE's efforts to ascertain people's continued entitlement to a medical card. This will ensure that the huge resources necessary to maintain the medical card system will be used in the best way, for the benefit of those who are genuinely entitled to it. That is what the Government is about, and I expected to secure the Deputy's support in this regard.

**Deputy Billy Kelleher:** Discretion has been withdrawn.

**Deputy Kathleen Lynch:** That is not true.

### **Residential Care Provision**

75. **Deputy Joe Higgins** asked the Minister for Health if he will consider making budgetary provisions for specialist care available in respect of a person (details supplied) in County Cork. [30837/13]

**(Deputy Kathleen Lynch):** The HSE has advised that the individual concerned was previously accommodated in a 24-hour residential facility up to her recent admission to St. Finbarr's

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Hospital. She receives medical input by means of twice weekly ward rounds from the treating consultant. A structured timetable of activities at a day centre has also been developed, and staff members at the centre continue to encourage the individual to attend these activities. Senior clinical psychologist support by the nursing staff continues to provide the necessary ongoing support and interaction for the client.

The HSE has stated that the north Cork mental health services will continue to provide the best available care to the individual in line with HSE resources and priorities and that the ongoing recovery of the person is of paramount importance to the multidisciplinary team responsible for her care. As there is no budget provision for any private care options at this time, the HSE indicates that it is not in a position to provide any additional services over and above the assessed requirement for the specialist acute service currently provided by St. Stephen's Hospital.

**Deputy Joe Higgins:** My question relates to a 40 year old autistic woman, whom I shall call Emma, who received a diagnosis only six years ago. As the Minister of State knows, a highly functioning autistic person can be bright and intelligent while also facing very serious issues in regard to social adjustment and so on. To clarify, Emma is currently being cared for in St. Stephen's Hospital, not St. Finbarr's Hospital.

**Deputy Kathleen Lynch:** Yes, I referred in my reply to St. Stephen's Hospital.

**Deputy Joe Higgins:** I accept that the Minister of State simply made a mistake.

The problem here is not the quality or commitment of Emma's carers. In fact, her mother, who is in the Gallery today, has expressed her appreciation for what the staff have tried to do. The problem is that Emma is not being cared for in the appropriate location, having been dealt with more as a patient with mental health or intellectual disability issues rather than specifically autism issues. I appeal to the Minister of State to talk to the HSE, even to get the 12-week residential assessment in a particular location that has been pinpointed by her specialist. That would be a good beginning.

**Deputy Kathleen Lynch:** I do not think there is any disagreement here. We know that there are people who have a dual diagnosis, who have anxiety, depression and other mental health issues, even people who have a disability diagnosis. Last year we did not allocate any posts in the areas of disability and old-age psychiatry. That is the priority issue for this year. With regard to this woman's mental health difficulties, she is in a very good service. Obviously, it would be better if the service could have been provided in her previous location, but that could not happen. The priority in this instance is to ensure that she recovers to good mental health and that she can return to a more appropriate setting, as the Deputy rightly says. The priority at the moment is the mental health issue.

**Deputy Joe Higgins:** We are talking about a human being with very specific needs, as we are whenever a difficult situation such as this arises. The problem is that this woman will not make the necessary progress if she is not receiving treatment in a location that is specifically geared towards the special needs of a person with autism. That is the issue, not the quality of care or the staff, whom her family praise. She really needs the specialist input of those who deal on a daily basis with autism issues. This is in the Minister of State's area. Will the Minister of State have a real dialogue with the HSE and, even if it will not make a long-term commitment about a specific health care centre that has been named, at least ask it to provide the opportunity for a 12-week residential assessment? The matter can then be taken from there.

**Deputy Kathleen Lynch:** I cannot give any commitment. It is very clear that there is no budget for private facilities. The only commitment I can give is that I will contact the director of services for disabilities in Cork. We will see what can be done but I am not making any promises.

## **Other Questions**

### **Suicide Prevention**

76. **Deputy Timmy Dooley** asked the Minister for Health the way he plans to deal with the increasing problem of suicide; and if he will make a statement on the matter. [30426/13]

131. **Deputy Éamon Ó Cuív** asked the Minister for Health the way he plans to deal with the rising numbers committing suicide; and if he will make a statement on the matter. [30447/13]

**(Deputy Kathleen Lynch):** I propose to take Questions Nos. 76 and 131 together.

Suicide is a tragedy that we are constantly working to prevent, and we are also working to give more support to the families affected. Dealing with the current high levels of suicide and deliberate self-harm is a priority for this Government, and significant additional funding has been provided in recent years to address this issue. Reach Out, our national strategy for action on suicide prevention, makes a number of recommendations, including fast-track referrals to community-based mental health services, effective responses to deliberate self-harm, training, reducing stigma and promoting positive mental health, initiatives aimed at helping young men, and further research. The National Office for Suicide Prevention, NOSP, has implemented most of the Reach Out recommendations in a four-way strategy: delivering a general population approach to mental health promotion and suicide prevention; using targeted programmes for people at high risk of suicide; delivering services to individuals who have engaged in deliberate self-harm; and providing support to families and communities bereaved by suicide.

Funding for suicide prevention is provided to the NOSP by the HSE from its overall budget for mental health. The annual budget for suicide prevention increased this year to €13.1 million. Of this, €8.1 million is provided to the NOSP to fund voluntary and statutory agencies delivering services in the areas of prevention, intervention, postvention and research. The remaining €5 million for suicide prevention measures is available regionally to fund HSE resource officers for suicide prevention, self-harm liaison nurses in hospital emergency departments and local suicide prevention initiatives.

The National Office for Suicide Prevention, NOSP, has been reviewing its current activities to make the most of available resources, including looking at best practice internationally to inform evidence-based policy decisions. This review will result in a revised strategic approach to suicide prevention for the remainder of 2013 and inform the final phase of the Reach Out strategy which runs until 2014. I expect the HSE will approve the revised approach in the very near future.

To get maximum benefit from the investment in suicide prevention measures and ensure a co-ordinated response to the needs of those at risk of or affected by suicide, the NOSP will continue to co-ordinate the work of the many voluntary, statutory and non-statutory organisations working in this area. By promoting cross-organisational collaboration, the development of net-

works and partnerships, skills sharing and service development, the NOSP hopes to maximise the impact of suicide prevention measures and support networks to ensure it reaches and responds effectively to people who are vulnerable. It is working to integrate current programmes to reduce duplication within the sector and provide a strategic framework for the co-ordination of the extensive range of actions in this area.

Priority suicide prevention initiatives identified for this year include the further development of existing national mental health awareness campaigns to promote help seeking, increased training for general practitioners and practice staff, building the capacity of communities to respond to suicide, implementation of the clinical care programme on self-harm which will include the funding of nursing posts in hospital emergency departments, training of acute hospital staff on suicide and self-harm intervention measures and the development of the SCAN, suicide crisis assessment nurse, model which allows for crisis interventions at primary care level and continued investment in voluntary agencies providing front-line services.

**Deputy Billy Kelleher:** The Minister of State is well aware of the significant problems posed by suicide. It is a silent crisis facing every community. In 2011, 525 people died by suicide. There are alarming statistics and something needs to be done quickly about it. I do not question the Minister of State's commitment or knowledge in this area, but we certainly need to do more. It is time we looked at establishing a mental health authority in the same way that the Road Safety Authority tackled the issue of road deaths. We need such an overarching authority which could direct Government policy, request resources and act with an independent remit to address the issue. Up to 550 people will die by suicide by the end of this year. We have to do more, yet, for example, the number of counsellors in schools was reduced. Although there is a commitment from the Minister, I do not believe we are getting traction in terms of delivery on the ground to ensure there is a focus point. Many voluntary organisations have been established on an *ad hoc* basis in communities where there has been an increased prevalence of suicide. We need to harness all of these groups into one organisation under the umbrella of a mental health authority whereby there could be genuine direction and a focus on suicide prevention. It should be a statutory authority, just like the Road Safety Authority, to really make an impact and save lives.

**Deputy Kathleen Lynch:** Every time a Member stands up to discuss the issue of suicide, he or she refers to an overarching authority like the Road Safety Authority. The Road Safety Authority has done an incredible job and I have no particular issue with it. However, we have a statutory overarching authority already, the National Office for Suicide Prevention, which develops policy and is now co-ordinating the activities of all the different groups that are desperate to help, a measure which should have been taken several years ago. These groups grow organically, usually from either a personal or community tragedy. However, this is different from the Road Safety Authority which can introduce laws that state that if one drives recklessly, one will receive penalty points. In this regard, I am conscious of the Members opposite. This is a criminal penalty, but we do not want to do that in the case of suicide. We are investing enormous amounts of money in a focused way. People tell me that the Germans are addressing the issue this way and that the Scots are addressing it that way. Our suicide prevention plan is exactly what the Germans and the Scots have. We needed co-ordination. The one thing I discovered on taking up this job was that the one piece that was missing was co-ordination. We cannot have one agency delivering the service people want in their community in every village, but we have the service. We need to ensure people stay in their community, but we also need to co-ordinate the service and ensure, above all else, that the right message - the one message - is

given. That is what the National Office for Suicide Prevention is doing. The Deputy saying he does not question my commitment is a type of backhanded insult. That does not work anymore.

**Deputy Billy Kelleher:** I do not question the Minister of State's commitment-----

**Deputy Kathleen Lynch:** I know the Deputy does not, but it is as if commitment is not enough.

**Deputy Billy Kelleher:** -----but this is not about her on her own. The point I am making is that I do not question her commitment, but some time ago the Minister for Education and Skills cut the number of career guidance counsellors in schools throughout the country. They are front-line staff working at the coalface in dealing with people who have difficulties. That is a fact. Therefore, I question the Government's commitment. This was an appalling way in which to try to reduce what was a key component in providing for an effective response in schools for vulnerable pupils.

**Deputy Kathleen Lynch:** That is not true.

**Deputy Billy Kelleher:** It certainly is true. I have met career guidance counsellors who have told me that they are very concerned about this. We were waiting for one year for the appointment of a director to the National Office for Suicide Prevention. If there was a sense of urgency about this issue, one would have thought that decision would have been made well in advance of having to wait one year to make the appointment. These are two areas to which I can point in which the Government's commitment is questionable.

**An Leas-Cheann Comhairle:** I will take questions from Deputies Caoimhghín Ó Caoláin and Luke 'Ming' Flanagan.

**Deputy Caoimhghín Ó Caoláin:** I draw the Minister of State's attention not to what is best practice in Germany or Scotland, although I recognise that we have similar issues to our Scottish neighbours, but to the fact that today the outgoing mayor of South Dublin County Council, with representatives of the HSE and Comhairle na nÓg, is launching a smart phone app entitled MindMindR. I have seen it and I am hugely impressed by it. It has been developed by South Dublin County Council and acts as an information port with all of the salient details of local mental health services. I commend it to the Minister of State as something that is an example of a powerful initiative and best practice. Will she take the time to inform herself of it and consider its potential for roll-out nationally, suitably adjusted to local area needs? If she has not done so already, would she or her officials be prepared to meet its initiators? I have no doubt that those who are behind this initiative would very much welcome a positive response from her today. It is what they and the rest of us deserve, namely, that it be adopted and released nationally.

**Deputy Luke 'Ming' Flanagan:** I am sure the Minister of State is well aware of the tragic suicide that took place in Roscommon psychiatric hospital and the calls made by many people in the area for an independent investigation into it and what it might reveal, rather than having an internal investigation which is never very satisfactory. Will the Minister of State seriously consider this request to increase confidence in the area?

**An Leas-Cheann Comhairle:** I call on the Minister of State for a final reply.

**Deputy Kathleen Lynch:** I wish to reply first to Deputy Caoimhghín Ó Caoláin's point

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about the app. Last year when we discussed how to reach people - they are not sitting down to watch the "Nine O'Clock News", as the Deputy and I know, rather they are in different places - one of the suggestions made was that an app be developed to give people, whether they were living in County Donegal or Dingle, at the press of a button telephone number to ring, details of where services were to be found and what was available. If the Deputy has seen that app, he will know that the range of services available is incredible. It is a question of co-ordination. I would love the people concerned to come and show us exactly what they are doing. It is something that could be transplanted or moved to any other area, with details of the relevant information.

In response to Deputy Billy Kelleher's point on schools, we conducted research into what was made available in schools because we were interested in reaching young people where they are. We discovered that a whole-of-school approach is required and that is what we launched and developed. The entire school is trained in what to do if a young boy or girl approaches a member of staff. When I had this discussion previously with Deputy Boyd Barrett he nodded profusely, probably because he had had a similar experience to mine. What if a student does not get on with the designated person? What if the principal put him or her outside the door with an instruction to approach the designated person and the student is feeling down because he or she feels unable to speak to that person? Surely the caretaker and the secretary should also be involved.

In regard to the repeated accusation that we waited a year before appointing a new director, that office was never vacant. A woman called Catherine Brogan did an incredible job in dealing with much of the development work, the outcome of which we are now seeing. We now have a new director who is making further progress on that work. It is not as simple as finding the right person for the right job. The work moves on and the different groups with whom we must deal also move on. This will not be the last Government to deal with the issue. It is a community issue and all of us must play a role. It cannot be left up to one person in an office in a school.

**Deputy Luke 'Ming' Flanagan:** The Minister of State did not answer my question.

**Deputy Kathleen Lynch:** I apologise. I have received several reports on the matter. I have discussed the issue with a number of professionals, not all of whom are employed by the HSE or the Department of Health; nor were they all from Roscommon or Galway. All of them have said that awful things happen when one is dealing with very vulnerable people. That is why we provide the services in the acute unit. Without any request for an inquiry, the HSE critical incident unit commenced an investigation. The Mental Health Act required that an investigation take place, and an investigation is never carried out by the staff of the unit.

### **Health Services Staff Numbers**

77. **Deputy Seán Crowe** asked the Minister for Health the number of the 414 community mental health services posts committed to in the HSE's national service plan for 2012 that have been filled; the number of these positions that have been filled by existing HSE staff members; the action being taken regarding the back-filling of the positions these staff members have vacated; and if he will make a statement on the matter. [30408/13]

**Deputy Kathleen Lynch:** In 2012, a special allocation of €35 million was provided for mental health, to be used primarily to further strengthen community mental health teams in

adult and children's mental health services, to advance activities in the area of suicide prevention, to initiate the provision of psychological and counselling services in primary care and to facilitate the transfer of mental health service users from institutional to community-based care in line with A Vision for Change. A total of 414 posts were approved to implement this €35 million package of special measures. As of 31 May 2013, 385 of the 414 posts have been filled, are under offer or are awaiting clearance. The national recruitment service, NRS, of the HSE creates national panels in anticipation of vacancies. On occasion, however, it is difficult to fill some posts for various reasons, including geographical location and international shortages of some grades, notably clinical psychologists. The NRS is currently working to ensure that the remaining posts will be filled as soon as possible, subject to the availability of appropriately qualified candidates. In some cases, alternative arrangements may be necessary for posts that cannot be filled in the normal way.

Candidates for these new posts were asked on application to include details of their current employers. However, at the appointment stage this data may not be current and cannot be validated. Accordingly, it is not possible to indicate the number of the successful candidates who were already employed by the HSE.

It is currently the responsibility of the HSE's regional directors of operations to decide within the context of their current resources whether to fill vacancies that may arise as a result of the appointment of an individual to a mental health development post from 2012. Each director has been asked to consider favourably the back-filling of posts vacated by the appointment of individuals to new mental health development posts to ensure that the objective of enhancing general adult and child and adolescent community mental health teams will be maintained.

**Deputy Caoimhghín Ó Caoláin:** The figure changed by just two between April and May.

**Deputy Kathleen Lynch:** Yes.

**Deputy Caoimhghín Ó Caoláin:** I based my preparation for today's Question Time on the figures for April of this year. The broad position in April was that 383 of last year's promised 414 staff positions had been filled, were under offer or were awaiting clearance. It appears from the April HSE census that the net increase in the number of staff in the mental health services is much lower, however, and that the actual increase in the number of posts is 188, or just short of 200 fewer posts across the mental health service. Therefore, the figure of 383 is not what it seems to be. As the Minister of State mentioned in her reply, it had increased to 385 by the end of May. I am seeking a clear explanation from her. As a result of the delay in delivering the 414 posts that were promised, very little of the 2012 allocation of €35 million has been spent. Even when these new posts are eventually filled, our mental health services will still be staffed far below the level recommended in A Vision for Change. If posts are being vacated and not backfilled, this is a case of the Government giving with one hand and taking with another. It is not living up to the expectation it created when it promised 414 new additional posts. When will these posts be filled? They are all needed.

**Deputy Kathleen Lynch:** No, we have not reached what is recommended in A Vision for Change. I do not think we will reach it for the next two years either. We need to move step by step if we are to make progress in this area. The community mental health teams were badly staffed. We have to make progress and we are making progress. I would like to respond to what was said about the back-filling of posts when people leave and the creation of additional posts. The people we are employing are taking up different posts. For instance, we are employing

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psychologists, social workers, occupational therapists, nurses, speech and language therapists, child care workers, counsellors and co-ordinators. That is not the average cohort of mental health professionals. These are different types of posts. To a great extent, the people who have left the service worked as nurses, etc. I am being careful in what I am saying. We are developing a different type of service that may not need the volume of posts we had in the past. We may need different types of posts. We are recruiting an additional 50 nurses, 27 speech and language therapists, 35 child care workers, some counsellors, ten co-ordinators, 120 occupational therapists, 78 social workers and 96 psychologists. We are providing all of the pieces that were missing from a well-rounded and properly developed mental health service. This service will be provided in the community rather than in institutions.

**Deputy Caoimhghín Ó Caoláin:** The Minister of State played a good game in her reply, with all respect to her.

**Deputy Kathleen Lynch:** That is what I am paid for.

**Deputy Caoimhghín Ó Caoláin:** I would like to remind the House of what she indicated in her initial reply with regard to the back-filling of posts and what the HSE confirmed in May. She said that responsibility rests with “the regional directors of operations to decide within the context of their current resources [that is it] whether to fill vacancies that may arise as a result of the appointment of an individual to a mental health development post from 2012”.

**Deputy Kathleen Lynch:** That is right.

**Deputy Caoimhghín Ó Caoláin:** It is all being done in the context of the so-called resources available to these directors, and not in the context of the needs of the services themselves or those who present themselves because they need care and attention. The Minister of State can call these posts what she likes and explain them as she pleases - as she has described, some of them are enhanced positions and are welcome in that context - but if we leave vacancies behind as we move people in to fill these posts, there will not be a net additionality and there will be a major problem in relation to backfilling. As I have already said, it is a case of giving with one hand and taking with the other. There is no other way to look at it. It is not being done.

**An Leas-Cheann Comhairle:** The Deputy should conclude.

**Deputy Caoimhghín Ó Caoláin:** Finally, a further €35 million was ring-fenced for mental health services this year, 2013. How much of that ring-fenced €35 million for mental health in 2013 - the second €35 million - has been spent and what has it been spent on, if at all?

**Deputy Kathleen Lynch:** When I say the RDOs will decide what is essential or what post they will need, I make the point that we are delivering a different service and some of the posts may not be essential. For example, if we are moving people out of big, old institutions, then we need to deliver a different type of service.

With regard to the €35 million for this year, we did exactly the same as last year in that we asked the RDOs to send in their business plans and asked them where the gaps are in regard to intellectual disability, old-age psychiatry, psychology services and counselling. Until quite recently only three of the RDOs had submitted their business plans, so we knew where the gaps were in their services and what they needed, but one region had not submitted a plan, so we only got it relatively recently. It has now gone to the recruitment agency that operates on behalf of the Government, and the agency will put a mechanism in place, which should not be that dif-

ficult this year as it knows how to do it from last year.

I have also spoken to the national clinical lead in old-age psychiatry and told her what we intended to do. She is quite happy. What amazes me is that, apart from Roscommon, which we have heard about for the last two weeks, I do not hear these complaints from any other part of the country. The people who have this service delivered to them - the service users and the people at the centre - are actually quite optimistic about the new service and how it is going to be delivered.

**An Leas-Cheann Comhairle:** We must move on to the next question.

**Deputy Caoimhghín Ó Caoláin:** May I respond to that?

**An Leas-Cheann Comhairle:** Very briefly.

**Deputy Caoimhghín Ó Caoláin:** We are on the cusp of the second half of this year and the Minister of State is talking about what she has learned from 2012, yet no new positions have been filled for 2013. This is unacceptable. If people have stopped complaining to the Minister of State, she should ask herself why. They are certainly complaining to Deputy Kelleher, myself and others because there is great concern within the mental health services. I am concerned that they may have given up on the Minister of State as well as the colleague on her right.

**Deputy Kathleen Lynch:** I always think that when people resort to insults, they have clearly lost the argument.

**Deputy Caoimhghín Ó Caoláin:** There is no insult in facing the truth.

**Deputy Kathleen Lynch:** We are delivering a new service. It is true that we are on the cusp of the second half of this year but A Vision for Change has been in this House since 2006 and the time limit for it is next year. While I do not dismiss what previous Ministers have done - I have always recognised that - we have done more in the last two years, so, cusp or no cusp, we are making progress.

## **Obesity Strategy**

78. **Deputy Dara Calleary** asked the Minister for Health the measures he is putting in place to tackle obesity; and if he will make a statement on the matter. [30421/13]

**Deputy James Reilly:** The House will forgive me for a degree of repetition, as we have dealt with this already to some extent. As Members know, as Minister for Health, I have made excess weight and obesity a public health priority and have established a special action group on obesity, SAGO, with which I meet regularly to make further progress on the obesity agenda. SAGO comprises key stakeholders and is chaired by my Department. The range of measures being implemented by my Department seeks to promote a healthy lifestyle, to encourage people to make healthier food choices, to become more active and to take the first steps towards reducing obesity. SAGO is working on a combination of priority actions which, taken together, should make a difference in the long term. These measures include the following: calorie posting in restaurants; healthy eating guidelines; addressing the marketing of food and drink to children; treatment algorithms; opportunistic screening and monitoring for excess weight and obesity; addressing the issue of vending machines in schools; and a physical action plan.

SAGO is also currently examining ways to promote healthy eating in accordance with this Department's healthy eating guidelines.

As I said earlier, during our Presidency we had an informal meeting at which childhood excess weight and obesity was a key element. The European Union is drafting an action plan for member states to take this work forward.

Healthy Ireland, a framework for improved health and well-being, forms the basis of how a whole-Government and whole-society approach to health and well-being will be delivered. It sets out 64 actions under a number of thematic areas which provide for the development of inter-sectoral and cross-Government plans to address risk factors and social determinants of health. It provides a structured mechanism to engage all different sectors of society to channel measures and actions around individual health and lifestyle issues, and to measure, monitor and evaluate implementation.

Healthy Ireland describes supportive mechanisms to ensure effective co-operation between the health sector and other areas of Government and public services concerned with social protection, children, industry, food safety, education, transport, housing, agriculture and the environment. The implementation of Healthy Ireland is now focused on the development of an outcomes framework and a physical activity plan. In this regard the health and well-being programme in the Department of Health will work closely with relevant policy divisions in the Department of Health and with existing cross-Government and cross-sectoral groups, such as the strategic action group on obesity, SAGO. We have, for the first time, a director of health and well-being, Dr. Stephanie O'Keeffe.

**Deputy Billy Kelleher:** Just to show the Punch and Judy politics is gone from this House, I congratulate the Minister on his proposal to ban menthol cigarettes throughout Europe. It is a very positive proposal.

**Deputy Alex White:** Hear, hear.

**Deputy Billy Kelleher:** The Minister has put obesity to the fore, but while we are talking about policies in this House, it is not happening in any real terms on the streets of this country. The statistics are alarming. Against any benchmark, country or statistics from the World Health Organisation, WHO, or the Organisation for Economic Co-operation and Development, OECD, it is clear we have an obesity epidemic in this country. We have had an alarming doubling of the number of people who are overweight or obese over the past ten years. As a practising GP the Minister knows the difficulties that will cause regarding cardiovascular diseases, diabetes and musculoskeletal difficulties. While we talk about it, families are not aware of the problems obesity will cause in the years ahead. There must be a very concerted effort targeted particularly in the schools. We hate always burdening schools with further obligations but there must be a healthy lifestyle commitment in education that encourages people and makes them aware of what they are doing and eating, and the outcomes of what they put into their bodies.

**Deputy James Reilly:** I thank the Deputy for his support for the tobacco directive in Europe. It was very important from the Irish Presidency point of view in health, along with the cross-border health threats initiative which will allow us to procure vaccines with other countries rather than being a small nation faced with multinationals. We could not get quite the same deal as bigger countries. That is resolved. The fact of 700,000 Europeans dying every year from tobacco is a major issue and I look forward, I hope, to the Deputy's support when we bring

in the plain packaging Bill later this year.

I share the Deputy's concerns about obesity. We are working on this across Government for the first time. We have agreement across Government that we must tackle this issue. There is a need to stop paying lip-service to public health and pay for it. As politicians we must all take responsibility for this. It is much sexier to open a new MRI scanner or hospital wing than it is to promote a public health initiative which can save many more lives and much more money in the future.

**Deputy Alex White:** Hear, hear.

**Deputy James Reilly:** The problem is that the result and payback happens not in the short term but in the long term when, perhaps, we will all have long left these Chambers for good.

**Deputy Finian McGrath:** The Minister is beating up smokers again.

**Deputy Billy Kelleher:** We do not want to be repetitive. This was raised in a priority question also. We need serious action very quickly. Dr. Donal O'Shea has been clear about this for some time and has pointed out that we are in the middle of the epidemic. We already have it. We can examine the statistics of any other country; where it continually develops it creates huge societal and health problems and pressures on the health services in the years ahead. Any efforts to act now will save a lot in the medium to long term.

**Deputy Caoimhghín Ó Caoláin:** I join Deputy Kelleher in welcoming the progress on the issue of menthol cigarettes.

**Deputy Finian McGrath:** Will the Deputies give us a break?

**Deputy Caoimhghín Ó Caoláin:** I am sorry for the Deputy. It is tough luck.

**Deputy Finian McGrath:** Smokers are blamed for everything.

**Deputy James Reilly:** We are not anti-smoker or anti-Deputy Finian McGrath. We want to support smokers to become ex-smokers. We are anti-smoking and anti-tobacco industry, which is targeting our children and robbing them of the opportunity to make a full decision later in life. What choice does one have once one is addicted? None.

**Deputy Finian McGrath:** The Minister would blame us for the banking crisis.

### **Topical Issue Matters**

**An Leas-Cheann Comhairle:** I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 27A and the name of the Member in each case: (1) Deputy Paschal Donohoe - the effects on part-time workers of the inclusion of Sunday as a working day for persons on social protection payments; (2) Deputy Michael Creed - the need to conclude a bilateral adoption agreement with the Russian authorities; (3) Deputy Tony McLoughlin - the need to review the rules of eligibility for the rural school transport scheme, in particular, the loss of the service to Ardvarney national school, County Leitrim; (4) Deputy Patrick Nulty - the need to maintain history as a compulsory subject for the junior cycle at second level; (5) Deputy Ciara Conway - the need for a moratorium on the commercial rates revaluation process in Waterford city and county; (6) Deputy Éamon Ó Cuív - the need to

make provision for services for school leavers with a significant disability; (7) Deputy Finian McGrath - the need for a public information campaign to highlight the lack of heart donations for patients waiting for heart transplants; (8) Deputies Billy Kelleher, Caoimhghín Ó Caoláin and Richard Boyd Barrett - the allocation of funding for autism services; (9) Deputies Brendan Griffin and Arthur Spring - the need to address the concerns regarding the newly centralised ambulance control centre; (10) Deputy Derek Keating - the arrangements in place for supervision of students during school organised Gaeltacht residential trips and classes; (11) Deputy Pearse Doherty - the impact of the HSE recruitment moratorium on community hospitals in County Donegal; (12) Deputy Michael P. Kitt - the theft of six valuable oil paintings by Evie Hone from the Church of St. Peter and Paul at Kiltullagh, Loughrea, County Galway; (13) Deputy Maureen O'Sullivan - the need to address the changing trends in drug use, particularly among young people, and the need for services to respond appropriately; (14) Deputy Eamonn Maloney - the need for an Oireachtas inquiry into the banks; (15) Deputy Pat Breen - the need to discuss the non-provision of a pension scheme for supervisors on community employment schemes; (16) Deputy Simon Harris - the need to review DART fares to Greystones; (17) Deputy Michael McGrath - the release of certain tape recordings of conversations involving Anglo Irish Bank executives; (18) Deputy Seán Ó Feargháil - the future of the triple lock; (19) Deputy Mattie McGrath - the need to urgently fill seven medical registrar vacancies in South Tipperary General Hospital; (20) Deputies Martin Ferris and Dessie Ellis - the need for the compulsory use of location beacons on fishing vessels; (21) Deputy Mick Wallace - the need to improve the existing water infrastructure before commencing metering; (22) Deputy Seán Kyne - the need to monitor and review the procedures for the disposal of hazardous waste from both public and private hospital facilities in the State; (23) Deputy Denis Naughten - the need to withdraw threatening letters issued for the collection of the household charge to home owners in incomplete housing developments; and (24) Deputy Clare Daly - the need to discuss the possible delay in the opening of Oberstown facility for young offenders.

The matters raised by Deputies Paschal Donohoe; Martin Ferris and Dessie Ellis; Billy Kelleher, Caoimhghín Ó Caoláin and Richard Boyd Barrett; and Brendan Griffin and Arthur Spring have been selected for discussion.

### Leaders' Questions

**Deputy Micheál Martin:** The revelations in the *Irish Independent* this week of recordings between senior Anglo Irish Bank executives has angered, sickened and shocked people across the country. The conversations recorded illustrate a banking culture that was reckless, oblivious to the damage it was causing people, devoid of any sense of responsibility to anyone other than interests of self-preservation, and dismissive of authority. The bank was populated by people who hold the Governor of the Central Bank and the Financial Regulator in contempt. The culture lacked any moral compass. People are furious about this. Without doubt, the collapse of the financial and banking system was probably the worst crisis to hit the country since the Second World War. The impact of the collapse has been enormous on the people. Therefore, a comprehensive, independent inquiry into the collapse of the financial and banking system is needed. Such an inquiry would deal with the reasons behind the collapse and also the decisions taken in response to the crisis by bankers, the Governor of the Central Bank, regulators and the Government.

A parliamentary inquiry along the lines proposed in the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Bill 2013 has been suggested as the correct and appropriate response to the crisis. I ask the Taoiseach to reflect on that suggestion and on whether such an inquiry would be strong enough or independent enough to meet the gravity and scale of the inquiry required. A parliamentary inquiry cannot hold non-public officeholders to account, nor can it make findings of fact adverse to the good name of any person who is not a Member of this House or who cannot be held accountable to this House. The people on these tapes cannot be held to account by a Dáil committee, an Oireachtas hearing or parliamentary inquiry. That is a fundamental drawback and flaw in what is being proposed.

The Tribunals of Inquiry Bill 2005 is before the House. This legislation was designed to reform the existing Tribunals of Inquiry Acts in order to make tribunals less costly and lengthy and more efficient. I put it to the Taoiseach that such a tribunal of inquiry, chaired by a retired international judge, if necessary, or a judge of good repute, fully broadcast to the public, with the full powers of a tribunal of inquiry along the lines of the Leveson inquiry which borrowed from the Irish Law Reform Commission's report which led to the Tribunals of Inquiry Bill 2005, would represent a better response in terms of having accountability. It would have the capacity to make adverse findings against individuals and satisfy the public requirement for the full truth to come out. I do not believe a parliamentary inquiry at this stage, given the revelations, will actually meet what is required.

**The Taoiseach:** I noted the Deputy's words, "reckless", "oblivious", "devoid of responsibility", "dismissive of authority" and "no moral compass". I note that he only mentioned the word "truth" once. We need to get at the truth because while it is easy to be shocked and absolutely angry about the revelations in what I understand are very extensive tapes, we should remember who the victims are in this case. The victims are the tens of thousands of families, ordinary people around the country, who became victims of the axis of collusion between Anglo Irish Bank and Fianna Fáil and bankers in general in order to inflate the property business. They bought their houses with inflated mortgages and at inflated prices and found when the crash happened that they had been left devoid of their business and income and mortgaged to the hilt for the next generation. That is what we need to find out. There have been inquiries held in secret such as the Nyberg inquiry which happened after the bank guarantee, about which nobody here knew anything until it was completed. There was no political accountability. I remind Deputy Micheál Martin who the guardians were at the time of what is contained in the Constitution. It was the elected Government which operated with the Central Bank and the regulator and with light touch regulation. It was the Government that sat down, time after time, with the bankers on "Hail fellow, well met" occasions.

**Deputy Micheál Martin:** Has the Taoiseach reached conclusions already?

**The Taoiseach:** It was the Government that allowed that culture to function. It is no wonder that Deputy Micheál Martin suggests having another inquiry in secret that could drift on for years. We had 14 years of the Moriarty and Mahon tribunals and nobody went to court-----

**Deputy Niall Collins:** We know how the Taoiseach dealt with the Moriarty tribunal.

**An Ceann Comhairle:** Stay quiet, please.

**The Taoiseach:** Charges have been laid against a number of individuals and a criminal trial is due to commence next year. A referendum on specific inquiries was rejected by the people.

The Minister for Public Expenditure and Reform is processing legislation through the Oireachtas. It is imperative to establish the terms of reference for such a committee and, in so far as it can be challenged, that it deal with political accountability in order to find out how this decision was made and how the Government was duped into making it by what we hear in the emerging revelations. I remind Deputy Micheál Martin that we need to find out about that culture, what went on and who was involved. Let us get at the truth. I ask for his co-operation in putting through the legislation dealing with inquiries-----

**Deputy Róisín Shortall:** It cannot make findings of fact against anybody.

**The Taoiseach:** I suggest the Seanad could reschedule its agenda to have this finished by the end of this Dáil session. Let us put that inquiry in place. I suggest the people who were in government with Deputy Micheál Martin during the years write down their recollections of what happened in the lead-up to the bank guarantee, the discussions and conversations that took place, and the decisions made or not made. Why is it that in this day and age there is no record in the Department of the Taoiseach of the conversations about this matter between bankers and those who were in government, when tens of thousands of people have watched their families emigrating because of what these boys did in the banks, aided and abetted by the culture of a Government that was arrogant and contemptuous?

**Deputy Róisín Shortall:** How will the Taoiseach find out what they did?

**Deputy Joe Higgins:** The Taoiseach continued to pay them-----

**An Ceann Comhairle:** Stay quiet, please. This is Leaders' Questions.

**The Taoiseach:** It stated, "If you think the housing bubble is going to burst, then go and commit suicide." I remind Deputy Micheál Martin that we need to focus on what happened here; that we need to find out the truth. We will start that process by having a parliamentary inquiry with a specific set of terms of reference to examine what happened before the guarantee was introduced.

*(Interruptions).*

**The Taoiseach:** That is where the damage was done. There was an infusion into that culture of a system that allowed this to happen that has consigned the next generation to paying for the behaviour of people involved in this circle, some of which has been revealed on the national airwaves in the past two days.

**Deputy Micheál Martin:** The Taoiseach's response confirms why it would be impossible to have a non-partisan independent inquiry conducted by the Oireachtas. The use of the word "collusion" and his various other remarks all confirm how incapable the Taoiseach and those in his party will be of conducting an impartial inquiry. However, that is not the point. It would undoubtedly be partisan, as per the Taoiseach's comments, and it would not have the teeth to make adverse findings against people recorded in conversations that have shocked the nation. The least of the Taoiseach's troubles will be former members of the Government in coming before any inquiry. He should acknowledge that no member of the Government will refuse to go before any inquiry, be it an Oireachtas or any other type of inquiry. His real difficulty in respect of a parliamentary inquiry will be getting the likes of the people on the tapes or people like the former director of Anglo Irish Bank to participate and in the inquiry having the capacity to make an adverse finding about his behaviour, if so deserved. The bottom line is that as a

result of the Abbeylara judgment, a parliamentary inquiry cannot hold such people to account. It will be very restrictive in terms of who it can hold to account. That might suit certain people - it might even suit the Taoiseach - to have the focus on one dimension, not on the fundamental banking issue.

I offer this suggestion in good faith. The Tribunals of Inquiry Bill 2005 is before the House. It results from proposals made by the Irish Law Reform Commission and was debated in the House before the general election. It is due to be taken on Report Stage. It proposes radical changes in how tribunals of inquiry are conducted in order to make them less costly, of shorter duration-----

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

**Deputy Micheál Martin:** -----and similar in nature to the Leveson inquiry in the United Kingdom. We all saw how effective it was in holding to account people who were not public officeholders, as well as officeholders. It was very effective.

**An Ceann Comhairle:** Did the Deputy hear me? I asked him to put a question because he is way over time.

**Deputy Micheál Martin:** It was in a position to make very good recommendations on how to make changes and improvements for the future. I suggest to the Taoiseach and the Government, in a spirit of co-operation, that the Bill represents a far better framework for conducting an inquiry into the banking sector collapse than the proposed parliamentary inquiry. Quite simply, it does not have the teeth or wherewithal to hold people to account and make adverse findings.

**The Taoiseach:** Yes, but I assume a parliamentary inquiry would have the moral authority to call former politicians of influence and who were in office to give their recollections and accounts of what happened in the lead-in to the bank guarantee.

**Deputy Micheál Martin:** We said that. That is no problem.

**The Taoiseach:** I assume our predecessors in government who served with the Deputy in high office would have the opportunity and a willingness to come to a parliamentary inquiry to explain why this was allowed to happen.

**Deputy Michael McGrath:** Is that the purpose of the whole thing?

**Deputy Pat Rabbitte:** It was the cause of it. That is why we are in the mess we are in.

**Deputy Róisín Shortall:** What about the rest of the players?

**Deputy Finian McGrath:** Call in the FÁS crowd.

**An Ceann Comhairle:** Can Members refrain from making comments?

**The Taoiseach:** Why did a Government appoint someone to head up a report group that separated the Central Bank from regulators and introduce light touch regulation in the first place? Can the Deputy explain why all of these occasions were taking place between bankers and high members of the Government and say what was discussed at all of these things?

**Deputy Micheál Martin:** Steady now.

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**Deputy Michael Healy-Rae:** What was the Opposition doing?

**The Taoiseach:** This is what the culture has led to where the decision was made.

**Deputy Michael McGrath:** They have reached conclusions already.

**An Ceann Comhairle:** Stay quiet, please.

**The Taoiseach:** The tapes to which we have listened and heard on the national airwaves were recorded after the bank guarantee.

**Deputy Micheál Martin:** They cannot be held to account by a parliamentary inquiry.

**An Ceann Comhairle:** Will Members stop trying to shout down the Taoiseach and listen to the answer?

**The Taoiseach:** We had the Nyberg inquiry which was held in private after the bank guarantee.

**Deputy Róisín Shortall:** Stop playing politics.

**Deputy Micheál Martin:** What about a public inquiry?

**The Taoiseach:** We need to have a public parliamentary inquiry with a specific set of terms of reference to find out the truth in so far as we can.

**Deputy Micheál Martin:** That is what I want - a tribunal of inquiry.

**Deputy Timmy Dooley:** I suppose the Taoiseach will let Deputy Peter Mathews chair it for the Deputy.

**Deputy Róisín Shortall:** They cannot make findings against anybody.

**An Ceann Comhairle:** Will Deputy Róisín Shortall, please, refrain from commenting?

**The Taoiseach:** The people want to know that justice will be done.

**Deputy Micheál Martin:** A parliamentary inquiry cannot do it.

**An Ceann Comhairle:** Will Deputy Micheál Martin also refrain?

**The Taoiseach:** There will be a criminal trial with a judge and jury and that takes its own course.

**Deputy Micheál Martin:** The Taoiseach is the judge and jury.

**The Taoiseach:** The Government extended the period of office of the Director of Corporate Enforcement for the preparation of his report.

**Deputy Timmy Dooley:** That was done in public, was it?

**The Taoiseach:** The Garda has done its job and that has all been sent to the Director of Public Prosecutions. I understand books of evidence are being prepared. That process takes its own independent course.

**Deputy Billy Kelleher:** In the Dáil today a Minister prejudiced the outcome of the trial.

**Deputy Timmy Dooley:** Who are you protecting, James?

**The Taoiseach:** We must find out in the House who were the masters at the time and who was supposed to be in charge of the country. It was the Government. We do not have a scrap of evidence about who visited whom, what was said, why decisions were not recorded, whether a decision was taken not to record any of this and why was it that this culture erupted.

**Deputy Timmy Dooley:** That can all be got in a public inquiry.

**The Taoiseach:** Deputy Micheál Martin was part of that environment. I am not suggesting he was involved directly in any of it-----

*(Interruptions).*

**The Taoiseach:** -----but he was a member of the Government and the people are entitled to know why the Government had incorporeal meetings at 3 a.m. They are entitled to know about the political environment in which all of these agents operated.

**Deputy Richard Boyd Barrett:** The Taoiseach backed the bank guarantee.

**Deputy Michael McGrath:** The Taoiseach wants a political inquiry. We get all that.

**Deputy Timmy Dooley:** Why do we not have it here?

**Deputy Simon Harris:** Timmy, you know you are responsible.

**The Taoiseach:** The banks were agents of the Government and the issue was to keep the property bubble booming, keep prices up and keep people getting mortgages they could not pay back for very many years.

*(Interruptions).*

**The Taoiseach:** The whole lot went over the edge and here we are.

**Deputy Michael McGrath:** The Taoiseach spent too long in Europe. He has started to lose touch with the people again.

**The Taoiseach:** Evidence is now coming out on the airwaves of the comments, attitude, arrogance and condescension towards the people who were treated as pawns in a game.

**Deputy Michael McGrath:** That is the first time the Taoiseach has referred to them.

**The Taoiseach:** We need to find out the truth. When the legislation goes through, we will start that process in a parliamentary forum.

**An Ceann Comhairle:** I ask Deputy Michael McGrath to behave himself.

**Deputy Michael McGrath:** It is hard to listen to rubbish.

**An Ceann Comhairle:** I will call Deputy Gerry Adams and expect him to have silence as he asks his question. I expect silence from the Taoiseach, or rather for the Taoiseach when he is answering.

**Deputy Timmy Dooley:** It would be better than what we have been listening to.

*(Interruptions).*

**Deputy Gerry Adams:** I have three main points to make about the Anglo Irish Bank tapes. First, it is five years since this shameful episode and not one banker has served one day of a prison sentence for his or her role in bankrupting the State. Ordinary citizens know that if they do not pay their television licence fee or the new taxes the Government is introducing, they will face prosecution. Second, it is clear from this morning's tapes that Mr. David Drumm and others in Anglo Irish bank were meeting senior Government Ministers. We do not need an inquiry to find that out. Deputy Micheál Martin and his Front Bench and others who were in government at the time could tell us who those Ministers were.

**Deputy Pat Rabbitte:** Hear, hear.

**Deputy Gerry Adams:** Does the Taoiseach know who they are? If so, will he name them?

**Deputy Timmy Dooley:** You are not so great on detail yourself, Gerry.

**Deputy Gerry Adams:** Third, despite representations from Sinn Féin, these banking elites were rewarded by the Government. Of the top 50 executives, 22 were kept in place and some of them were given €175,000 a year. Tá a fhios ag an Taoiseach gur cuma le fear na mbróg cá leagann sé a chos. Tá aithne ag an Taoiseach ar an seanfhocal sin. Mr. Drumm who featured in the tapes was given a bonus of nearly €700,000. The Fianna Fáil Government of the day allowed this to happen, but the Taoiseach's Government has continued to protect these bankers and their high paid jobs. Why is there a delay in bringing prosecutions? Will the Taoiseach ask the Minister for Justice and Equality to seek a report on the matter?

**The Taoiseach:** The Bill before the House, the Central Bank (Supervision and Enforcement) Bill 2011, which is on Committee Stage, is extensive and complex. It deals with the Honohan, Nyberg, Regling and Watson, Moriarty and Mahon tribunal reports. The Government has published the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Bill which, once enacted, will provide the framework for a parliamentary inquiry system. The Deputy is aware that the people rejected in a referendum the question they were asked on the holding of inquiries.

The issue of who met who is one that politicians and former politicians should have no problem in addressing when they attend the parliamentary inquiry. It is imperative in the public interest that these matters be teased out and identified and that members of past Governments who were involved in any of the decisions related to this issue be able to attend to give their recollections and accounts, as should the individuals with whom they were associated. We are in a process where there is a trial to be held in the courts which are completely and utterly independent of anything I might say.

**Deputy Billy Kelleher:** The Minister for Health jeopardised that recently. Is that criminally negligent?

**The Taoiseach:** Does Deputy Gerry Adams want the Minister for Justice and Equality to identify the Ministers involved?

**Deputy Gerry Adams:** I want him to give us an explanation as to why there is such a delay five years on.

**The Taoiseach:** I have set out some of the issues which have had to be dealt with by the Government in inheriting this mess, including the Central Bank legislation.

**Deputy Timmy Dooley:** He was jailing the bankers before the election.

**Deputy Niall Collins:** He sent the squad cars one week before the election.

**The Taoiseach:** Investigations are being carried out by the Central Bank and the Office of the Director of Corporate Enforcement into matters at Anglo Irish Bank. They should take their course. We put a referendum on inquiries to the people and it was rejected. Legislation on inquiries is going through the Houses. In the meantime, we have had to deal with the unholy mess at European level in terms of interest rate reductions, the promissory notes and the extension of loan maturities to recover as much as we can for the taxpayer.

Believe me, Deputy Adams, I would be the first to say that what the people want is to see justice done. This has been a very complex and technical process, which is why we now have tapes emerging of what apparently are very extensive hours of taping to which I have not, obviously, had access. In the public's interest, we must have a parliamentary inquiry at which those personalities and the persons involved will attend to give their evidence to let us to get at the truth of the circumstances and environment which led to that culture which culminated in a bank guarantee and which was reflected in the condescension, arrogance and dismissiveness in the extracts from tapes played on the national airwaves.

**Deputy Róisín Shortall:** What if they refuse to attend?

**Deputy Gerry Adams:** I asked if the Taoiseach knew which Ministers met the bankers but he did not answer the question.

**Deputy Pat Rabbitte:** Ask Deputy Micheál Martin.

**Deputy Gerry Adams:** Deputy Micheál Martin could stand up now and make this clear to us. He is bound to know. Fianna Fáil knows who met these bankers. Let Fianna Fáil make it clear.

**Deputy Timmy Dooley:** Let us have a truth commission and we will see who comes out best.

**An Ceann Comhairle:** Allow Deputy Adams to ask his supplementary question without interruption.

**Deputy Gerry Adams:** There is very little confidence at the level of citizenship. The Oireachtas must be separate from the Judiciary and the Garda Síochána. The Minister for Justice and Equality is able to come in with title tattle and give us detail. Why can the Taoiseach not ask him to supply us with a report on Garda investigations into these matters? I am astounded the Minister for Finance said he did not know about the existence of the tapes.

**Deputy Arthur Spring:** The Criminal Assets Bureau.

**Deputy Gerry Adams:** If he did not know, why did he not know? Where is the Criminal Assets Bureau? Why are we not chasing these people who have defrauded the State and put tens of thousands of our young people across the globe and hundreds of thousands on the dole queues? This Government has proven once again that there are two laws. There is a law for the

ordinary citizen. If I go into Dunnes Stores and steal to feed my family-----

**Deputy Timmy Dooley:** Or Northern Rock.

**Deputy Gerry Adams:** -----I will end up before the courts. If bankers deliberately defraud the State, boast about it, laugh about it and boast about their meetings with Ministers, it will be okay. The sickening thing is that they were right. They said it would be nationalised, that they would be made civil servants and that they would get five years out of it. They got their bonuses. With respect, the buck stops with the Taoiseach. What will the Government do about this? If the tapes were not released, we would not be having this discussion. What will the Taoiseach do about it?

**The Taoiseach:** The buck stops with the Government and I am going after them. I do not have the authority or the mandate to adjudicate in a court of law-----

**Deputy Róisín Shortall:** Pathetic.

**The Taoiseach:** -----on whether persons have broken the law and should be charged and sentenced. Clearly, the people demand justice and the process of a criminal trial is under way. When the Department of Finance became aware of the kind of questionable behaviour in Anglo Irish Bank, the Garda Síochána, as the appropriate authority, was informed immediately. Under statute law, the Garda Síochána is the responsible body for dealing with criminal investigations in the State. I understand the tapes mentioned were part of the material supplied to the Garda Síochána over four years ago as part of the investigation into Anglo Irish Bank when it was made aware of the activity and behaviour that led to an investigation. Neither the Department of Finance nor the Government had access to the tapes, extracts of which I have heard played on the airwaves. The Government wants to see the matter sorted out and the truth known. I do not know what Ministers from previous Governments met with these influential bankers. We have had evidence of some of them.

**Deputy Gerry Adams:** Ask Deputy Micheál Martin.

**The Taoiseach:** Deputy Micheál Martin knows from his personal ministry whether he ever met with any of them and I am not suggesting he did.

**Deputy Micheál Martin:** Plenty of innuendo.

**The Taoiseach:** Other people in the Government of which Deputy Micheál Martin was a member certainly did meet them and remained in their company for some time, whether at social occasions or whatever. I have no evidence of bankers coming to meet Ministers in the Department of the Taoiseach. At a number of occasions where meetings took place with previous taoisigh about this matter, no decisions were recorded. We cannot find any and if I had them I would leave them out here for everyone to see so that we could start the process. When we get a parliamentary banking inquiry, will any of those politicians refuse to attend and give the accounts of whether they met with the bankers and what was discussed-----

**Deputy Róisín Shortall:** The bankers certainly will.

**The Taoiseach:** -----what decisions were taken and why it was that this culture came to a point where it was a continuous stream of pressure on people to take out mortgages to buy properties at ever inflated prices to keep builders and friends of the banks and the Government on a path for endless prosperity?

**Deputy Pearse Doherty:** The Taoiseach kept them in employment until February. They were paid salaries of €175,000. He wrote the cheque every year.

**An Ceann Comhairle:** Deputy Pearse Doherty should settle down.

**Deputy Aodhán Ó Ríordáin:** Deputy Pearse Doherty's party wrote the biggest cheque with the bank guarantee.

**The Taoiseach:** I do not take from Deputy Adams the question of repayment and banks. The Deputy knows well that what we must do is put a process in train where answerability and the truth will come out. I do not take for granted the ranting of Deputy Pearse Doherty behind Deputy Adams.

**Deputy Joe Higgins:** When he was in opposition, the Taoiseach never opened his mouth against the profiteering that was taking place in the housing market.

**An Ceann Comhairle:** Deputy Joe Higgins should show respect for his leader, Deputy Mattie McGrath, whom I have called.

**Deputy Billy Kelleher:** Plenty of Members in government got cheap loans.

**Deputy Mattie McGrath:** The public will not be fooled any longer. I compliment the *Irish Independent* on raising the scandalous and disgraceful events in respect of revelations about Anglo Irish Bank and the massive public deception members of senior management perpetrated upon the Irish people from September 2008 until this day and for generations to come. The BBC and the whole world is discussing what is going on in Ireland. Describing it as causing shock, nausea and teeth-grinding anger is putting it mildly indeed. The Taoiseach said he understands the rage and upset of the Irish people and that he can appreciate the anger out there. I very much wonder, after his reply to the last number of questions.

The Taoiseach also said he wants to make sure the promised new legislation to hold a banking inquiry will be sufficiently comprehensive. That says a lot. A spokesperson for the Department of Public Expenditure and Reform, which is sponsoring the inquiries Bill, said that under its terms Oireachtas inquiries would not be empowered to make findings of individual culpability. The committee will only be able to inquire into the facts surrounding the banking collapse. Is this what the Taoiseach means by sufficiently comprehensive? Why can the authorities not refer to the Criminal Justice (Theft and Fraud Offences) Act? There are plenty of articles in it for people who act dishonestly or set out to mislead. Why the cover-up and the delay? We must have individual culpability and we must disregard the nonsensical pleadings of senior management that they were not party to any strategy to mislead the Central Bank when we have it in their own words that they set upon a reckless and deliberate deception that has cost this country and its people dear. The dogs in the street know that. The Tánaiste says he had no idea the tapes existed of senior figures discussing the bank rescue fund and the subsequent bank guarantee. How credible is this? We all know conversations with banking institutions are recorded. Are we to seriously believe that five years into the farce, not one person in government thought to ask whether there was a record of conversations in this crucial period?

The Minister for Finance is sitting beside the Taoiseach. When he took up the job, he must have had discussions with senior management of the bailed out banks. Was he lied to, along with his predecessors and previous Ministers? What answers did he get and did he ask the questions? If not, why not? Was the Minister for Justice and Equality informed the tapes existed?

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He seems to be informed of every other triviality so I am sure he was informed of this.

Does the Taoiseach agree with the chairman of the Fine Gael Parliamentary Party, Deputy Charles Flanagan, that the Oireachtas is not the appropriate forum for the banking inquiry? We need a short sharp commission of inquiry with no politicians involved, hand-in-hand with a robust criminal investigation that is fully resourced and efficient and assisted by police forces from abroad if necessary. Will the Taoiseach agree to take this course of action on behalf of the public so many years later in light of the election promises he made?

**The Taoiseach:** I think Deputy Mattie McGrath was a member of the Fianna Fáil Party when all of this went on. I take it he was very supportive of what happened then.

**Deputy Patrick O'Donovan:** So was Deputy Finian McGrath.

**Deputy Mattie McGrath:** If that is the best the Taoiseach can do, it is a sad day. We need leadership.

**The Taoiseach:** The tapes mentioned here were supplied to the Garda Síochána over four years ago as part of its investigation into matters at Anglo Irish Bank. Those investigations have led to a number of criminal charges being brought against individuals. As the Garda is the body responsible for criminal investigations in the State under statute-----

**Deputy Billy Kelleher:** The Taoiseach should not take credit for those investigations. They were started four years ago.

**The Taoiseach:** -----it was informed of this type of behaviour. That is the reason those tapes went directly into Garda possession from Anglo Irish Bank under warrant. The Deputy talks about a cover-up. My God, the fact is that following those investigations criminal charges have been preferred against a number of individuals. That process is in train.

I believe that the legislation currently going through the Houses will provide a process for a parliamentary inquiry which can lead to the truth. We will start that process. We want to find out the truth about this. The people demand it and they are entitled to have it-----

**Deputy Mattie McGrath:** And the Taoiseach promised it.

**The Taoiseach:** -----given that they have been crucified economically, and into the next generation, because of what happened. We see the condescending way individuals treated this as a matter of fun and games. We need to find out about the entire process leading to that culture and environment of hail-fellow-well-met, we are all part of this process, keep it rolling, keep providing those high mortgages, keep prices inflated and look after the builders, developers and bankers. We know very little about that and the legislation dealing with parliamentary inquiries will start that process. I would like to see it under way early in the autumn. I hope we can define terms of reference with a specific remit that can, in the public's interest, have accountability and truth brought to this matter to the greatest extent possible. The criminal law will take its own course in the courts.

**Deputy Mattie McGrath:** The Taoiseach is not answering any questions. Did the Minister for Justice and Equality know about the tapes? I welcome the Taoiseach back from his globetrotting six month EU Presidency and comhghairdeas ar an obair. He is back to the real world now and it is time he took some responsibility for the inaction of his Government on all the promises it made. The individuals in Anglo Irish Bank are only second-rate guys. We need

to know how many more scoundrels are lurking in the shady vaults of Anglo Irish Bank and, indeed, the other banks, including Bank of Ireland, AIB and Permanent TSB.

Every legislative measure brought to this House has given a veto to the banks. With regard to the mortgage crisis, the Government is setting targets but the banks are just dangling people on a string. It is the same with the personal insolvency legislation. On every item, the banks have not been tackled head-on but have been given a veto on everything. Who or what is the Taoiseach hiding? He promised so much with disdain, as did the Tánaiste, Deputy Gilmore. Indeed, the Minister for Transport, Tourism and Sport, Deputy Varadkar, said there would not be one more red cent for Anglo Irish Bank. Does he remember that? Does the Government think the people are complete idiots?

The Taoiseach promised the people no more cuts to welfare or savage attacks on the most needy in society, one of which he went back on today. This Government went to the people for a mandate and said it needed people's votes to get us out of this mess. In the Anglo Irish Bank charade, the bank went to the Central Bank and said it needed its money to get it out of that position. It got the money from the last Government, of which I was a member. I have never shied away from that. I voted for it.

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

**Deputy Mattie McGrath:** I was also duped. However, the Taoiseach knows that both he and his Minister for Finance have done nothing about it. Did the Minister ask the questions? If not, why not? Did the Minister for Justice and Equality know? If he did not know, why not, when he is able to know about trivialities? Both the Government and the banks have deceived the people. Both have broken promises. There has been no accountability on either side. Does the Taoiseach agree that it is high time there was such accountability? Will he set up a criminal inquiry and a robust investigation? There is no point in bringing it to the Oireachtas. While we have powers of compellability, it will not be effective. It will be just another smokescreen and the people will not wait for that. We cannot wait and time has already passed. Will the Taoiseach do what he was elected to do? The mandate he got was to sort out this mess, deal with it and provide honesty and truthfulness for the people.

**The Taoiseach:** I agree with the Deputy's last comment about honesty and truth. It has been a privilege to have been leader of a Government which has dealt with the Presidency of the European Union for the last six months.

**Deputy Mattie McGrath:** Well done. Now it is back to the real world.

**The Taoiseach:** This morning the file on Horizon 2020 was agreed. Yesterday, the file on CO2 emissions was agreed. The Minister for Finance will be working hard tomorrow and tomorrow night on the question of bank resolution and bank recovery towards banking union, which is all part of this. We hope that the discussions currently under way with the Tánaiste in respect of the multiannual financial framework, MFF, can lead to a conclusion. If the Deputy thinks that is globetrotting, he is entitled to his opinion.

I had the doubtful privilege of calling into Anglo Irish Bank with Deputy Bruton, when he was the party's spokesman on finance, a couple of weeks after the guarantee went through. We met all of the principals in the bank's building on St. Stephen's Green. We were given a wonderful presentation by people who were very well remunerated in their positions and received very large bonuses. As has transpired, all of that presentation was a tissue of fabrication and

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untruths. The questions we asked on that occasion, from the Opposition benches, were very realistic in the context of the pressures people were under and the stories, rumours and allegations that were flying around about that bank. They were all utterly denied. I make that point for the politicians who are interested in what happened here.

**Deputy Billy Kelleher:** The Opposition was meeting with them as well.

**The Taoiseach:** We are interested in finding out facts and the truth. We will bring the legislation through the Dáil and the Seanad, we will set up the parliamentary inquiry and define the terms of reference for that, and we will move forward on getting accountability and the truth in the interest of the people. As I said, next year is a different story in the context of the charges being brought against certain individuals. They will be processed through the courts system.

**An Ceann Comhairle:** That concludes Leaders' Questions.

**Deputy Mattie McGrath:** Did the Minister for Justice and Equality know about the tapes?

**Deputy Bernard J. Durkan:** Did the Deputy know?

## **Ceisteanna - Questions (Resumed)**

### **Northern Ireland Issues**

1. **Deputy Joe McHugh** asked the Taoiseach if he will outline his support for developing the all-island economy and for collaboration in the provision of public services on this island; if he will update Dáil Éireann on his most recent dialogue with British Prime Minister, Mr. David Cameron, in this regard; the issues that arose in his most recent relevant discussions as Head of the Irish Government with the Northern Ireland First and Deputy First Ministers; and if he will make a statement on the matter. [23666/13]

2. **Deputy Micheál Martin** asked the Taoiseach the actions he is considering in view of the constant refusal of the British Government to instigate an independent inquiry into the murder of Mr. Pat Finucane; and if he will make a statement on the matter. [23841/13]

3. **Deputy Micheál Martin** asked the Taoiseach if he will be putting forward for discussion any papers at the next BIC meeting in Derry in June; and if he will make a statement on the matter. [23842/13]

4. **Deputy Gerry Adams** asked the Taoiseach his plans to meet with the First Minister, Mr. Peter Robinson, or Deputy First Minister, Mr. Martin McGuinness. [25205/13]

5. **Deputy Micheál Martin** asked the Taoiseach if he or his officials met the Justice for the Forgotten group recently; and if he will make a statement on the matter. [26614/13]

6. **Deputy Micheál Martin** asked the Taoiseach if British Prime Minister, Mr. David Cameron, has been in discussion with him directly regarding the recent discussion that was held at Westminster in relation to Ireland's tax arrangements; and if he will make a statement on the

matter. [26626/13]

7. **Deputy Regina Doherty** asked the Taoiseach if he has discussed the matter of integrated education at his recent meeting with British Prime Minister, Mr. David Cameron; and if he will make a statement on the matter. [27355/13]

8. **Deputy Patrick O'Donovan** asked the Taoiseach in view of his recent meetings with the British Prime Minister and the First and Deputy First Ministers of Northern Ireland, the progress that has been made in relation to improving relations between the different communities in Northern Ireland; and if he will make a statement on the matter. [27356/13]

9. **Deputy Joe Higgins** asked the Taoiseach when he will meet with the First Minister and Deputy First Minister of Northern Ireland. [27358/13]

10. **Deputy Gerry Adams** asked the Taoiseach the recent discussions he has had with the British Prime Minister and with the First and Deputy First Ministers in Northern Ireland in relation to the all Ireland economy. [27871/13]

11. **Deputy Gerry Adams** asked the Taoiseach the issues he plans to prioritise at the next meeting of the British-Irish Council. [27872/13]

12. **Deputy Micheál Martin** asked the Taoiseach if he has met recently with British Secretary of State for Northern Ireland, Ms Teresa Villiers; and if he will make a statement on the matter. [28705/13]

13. **Deputy Gerry Adams** asked the Taoiseach his plans to meet the Justice for the Forgotten group. [28999/13]

14. **Deputy Gerry Adams** asked the Taoiseach his plans to meet the families of the victims of the Ballymurphy massacre. [29000/13]

15. **Deputy Gerry Adams** asked the Taoiseach the steps he has taken in response to the refusal of the British Government to hold an inquiry into the killing of human rights solicitor Mr. Pat Finucane. [29001/13]

16. **Deputy Gerry Adams** asked the Taoiseach if he has raised the issue of the implementation of outstanding aspects of the Good Friday Agreement in his recent discussions with the British Prime Minister, Mr. David Cameron. [29002/13]

17. **Deputy Micheál Martin** asked the Taoiseach if his attention was drawn to the £20 billion investment before it was announced on 14 June; and if he will make a statement on the matter. [30030/13]

18. **Deputy Micheál Martin** asked the Taoiseach if he was invited to the announcement of the £20 billion investment in Downing Street, London; and if he will make a statement on the matter. [30031/13]

19. **Deputy Micheál Martin** asked the Taoiseach if the £20 billion announcement was discussed at the most recent North-South Ministerial Council meeting; and if he will make a statement on the matter. [30032/13]

20. **Deputy Micheál Martin** asked the Taoiseach when the next North-South Ministerial Council meeting will take place; and if he will make a statement on the matter. [30033/13]

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21. **Deputy Micheál Martin** asked the Taoiseach if there was any discussion with him regarding the £20 billion announcement before or since the announcement; and if he will make a statement on the matter. [30035/13]

22. **Deputy Micheál Martin** asked the Taoiseach if employment in Northern Ireland will be boosted by the recent £20 billion announcement of investment; and if he will make a statement on the matter. [30036/13]

23. **Deputy Joe McHugh** asked the Taoiseach if he will update Dáil Éireann on his most recent discussions as Head of Government with the British Prime Minister, Mr. David Cameron, in respect of Great Britain's role in the European Union; and if he will make a statement on the matter. [30045/13]

24. **Deputy Joe McHugh** asked the Taoiseach if he will update Dáil Éireann on his most recent engagements as Head of Government with the leader of the British Government, Mr. Cameron, in respect of the all-island economy, pursuant to Strand II of the Good Friday Agreement. [30047/13]

**The Taoiseach:** I propose to take Questions Nos. 1 to 24, inclusive, together.

When I last addressed the House on Northern Ireland, I indicated that the focus of political leadership in Northern Ireland needed to be on maintaining and creating jobs through economic recovery and building a shared future. These were the principal themes of my bilateral meeting with the British Prime Minister in March and in the discussions I held with President Obama and the First Minister and Deputy First Minister in Washington. Since then, I am pleased to report that there has been very welcome progress in the North in the form of the publication of the "Together: Building a United Community" strategy for good relations and, more recently, the "Building a Prosperous and United Community" economic package agreed between the British Government and the Northern Executive's First Minister and Deputy First Minister. Taken together, these proposals seek to develop the twin and integrated strategies of promoting a stronger private sector and building a more cohesive, shared society.

Work such as this is important in delivering the forward-looking, prosperous and reconciled society we all wish to see in Northern Ireland. While the agreed economic package is primarily a matter between the British Government and the Northern Executive, I welcome the additional economic development and jobs that this package will bring to Northern Ireland. It is a very strong message that Northern Ireland is open for business. I again take this opportunity to congratulate the First Minister and Deputy First Minister on their achievement for all the people of Northern Ireland.

As regards the peace process, I believe the Prime Minister, Mr. Cameron's, decision to hold the G8 summit in Fermanagh was vindicated. It provided a unique opportunity for us all, but most especially for the political leaders in Northern Ireland, to show to the world the progress being made there and to demonstrate that the peace process can have real and tangible benefits for the people of Northern Ireland and more widely across these islands.

During my time at the G8 summit in Lough Erne, I had the opportunity to speak directly with the US President, Mr. Obama, and commend him on his speech on the Monday morning to young people in Belfast and on his strong personal commitment to Ireland, North and South. My Government will continue to support the Executive and political leadership in Northern Ireland in whatever way it can to achieve our shared objectives of peace and economic prosperity.

I have already updated the House on my bilateral meeting in London with the UK Prime Minister, Mr. Cameron, and the key actions that are being jointly taken to develop further economic co-operation between the UK and Ireland and on the island of Ireland within this wider context. There continues to be valuable progress in co-operation through the North-South Ministerial Council, NSMC, and the North-South implementation bodies. The institutional framework of the NSMC is robust and works well. My Government is committed to working for greater cross-Border economic co-operation to accelerate the process of recovery and the creation of jobs on the island.

All members of the Government avail of all opportunities, including meetings within the framework of the NSMC, to have constructive engagement with Northern Ministers on matters of mutual economic interest and to advance initiatives designed to boost economic activity on the island. Ministers are committed to practical co-operation in providing services. Each of the North-South bodies operates on an all-island basis under the overall policy direction of the NSMC.

Tourism Ireland and InterTradeIreland have a particularly significant role to play in the economic recovery of the island. Tourism is especially important, North and South, and the Government is working closely with the Executive to ensure that the sector's potential is fulfilled, maximising the benefits of initiatives, including the Derry City of Culture and The Gathering. Tourism Ireland is a very good example of how an all-island approach can reap dividends. InterTradeIreland provides incentives for companies to compete on a North-South basis, encouraging linkages in areas of shared interest and seeking to foster a new culture of innovation and research excellence throughout the island. With the focus on promoting jobs and growth, there is a special need to maximise co-operation and participation in current and forthcoming EU framework programmes for research and technological development. It has been shown that when institutions from the North and South come together, the chances of accessing funding are significantly increased. InterTradeIreland has introduced two new programmes - Challenge and Elevate - that support SMEs and micro-businesses to grow and develop through innovation and exporting against difficult market conditions in both jurisdictions.

Our Presidency of the Council of the European Union has been helpful in showcasing the benefits of improved co-operation. Executive Ministers have shown considerable interest in the Presidency, and our Ministers have briefed their Northern counterparts on the Presidency priorities in their sectors and invited them to participate in relevant Presidency events.

I look forward to the next plenary meeting of the NSMC on 5 July. It will be an opportunity to make further progress in this important area. While the agenda remains to be finalised, I expect that we will take the opportunity to review Ireland's Presidency, the progress made on key issues of mutual interest and North-South economic co-operation.

The Government's position remains in favour of an independent public inquiry into the murder of Mr. Pat Finucane, in line with the all-party view in this House. The work undertaken by Mr. de Silva, QC, can facilitate this by helping to ensure that an independent public inquiry need not be lengthy, open-ended and inordinately expensive. In my contacts with Mr. Cameron following publication of the de Silva report, I made clear that the Irish Government will continue to seek an independent public inquiry. The Tánaiste has conveyed this message in his contacts with the UK Secretary of State for Northern Ireland, Ms Villiers, and will continue to make it clear that full implementation of the Weston Park agreement remains a moral and political imperative for the Government.

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Officials from my Department have recently met the Justice for the Forgotten group and representatives of the Ballymurphy families, and I hope to meet both of these groups shortly.

I have already updated the House on my visit to Washington in March and my joint meeting with the Northern Ireland First Minister, Mr. Peter Robinson, and the Deputy First Minister, Mr. Martin McGuinness. This series of engagements has continued more recently, with the Tánaiste meeting both Ministers in Belfast on 26 April. I had the opportunity to meet them briefly at the G8 summit.

I attended the twentieth summit meeting of the British-Irish Council in Derry on Friday last, which was jointly chaired by the First Minister and the Deputy First Minister. The council received a presentation from Ms Shona McCarthy, chief executive officer of the Derry-Londonderry Culture Company 2013. The presentation highlighted the benefits to the north west arising from Derry's selection as the first UK city of culture, and its aim to act as a catalyst for building the economy of the region and delivering a lasting legacy for the people of the city and surrounding area. The British-Irish Council also discussed the current economic situation in the different member administrations, with particular focus on the creative industries sector, energy costs and youth unemployment. Relevant papers are prepared for the council by the permanent secretariat, which is based in Scotland. The next council meeting is scheduled to take place in Jersey on 15 November.

Mr. Cameron and I have not spoken about any discussions at Westminster in regard to Ireland's tax arrangement, nor did we discuss the subject of integrated education at our most recent meeting. I did not discuss Great Britain's role in the European Union with the Prime Minister at these meetings.

**Deputy Joe McHugh:** I acknowledge the Taoiseach's comprehensive response and the work that is taking place at institutional and political levels in both Dublin and Westminster. Great work is taking place in Stormont. Just yesterday, there were British-Irish Parliamentary Assembly committee meetings taking place in Dublin and Belfast, and there was a steering committee meeting in Belfast. I am aware that the Taoiseach was in Derry last Friday at the British-Irish Council meeting. I welcome the fact that there will be a focus at council level on youth unemployment. We all hold this matter close to our hearts.

Against the backdrop of a broken country that we are trying to rebuild and the historic and economic ramifications of partition, which we all know about, it is important to point out that there is an appetite, both North and South, for pragmatic solutions in the form of all-Ireland services. An example is the €90 million that the Government is investing in Altnagelvin Area Hospital in Derry for radiotherapy services and the Narrow Water bridge project, which is to link Warrenpoint to County Louth. These are very pragmatic solutions and they must be welcomed. My question is related to the north west, however. There still needs to be a massive political drive, both North and South, in regard to the A5. I left Carrigart today at 10.30 a.m. and only arrived here in the past hour. This indicates the congestion on the route. We must keep this on the radar. We should also consider tangible projects that link people.

The Minister for Transport, Tourism and Sport, Deputy Varadkar, is present. When I arrived today, I picked up documentation on the new Luas interconnector that is to bring the north and south of the city together. This is very welcome, but we need to bring together the peoples on this island. We must find ways and means of doing so, be it through new telecommunications systems or transport infrastructure. I have no doubt the Taoiseach will be completely aware of

the success of the greenway project in his native county, Mayo. We have a great opportunity to advance some type of greenway project on a North-South basis. I have spoken privately to the Minister for Transport, Tourism and Sport about this, and he has put on record his opinion on rail. We can talk about that on another day, however. With regard to the old Victorian railway lines, from Derry through Church Hill and down through Barnes Halt, and the old viaducts into Burtonport, there is already a good drive for grassroots community activism. This would not be about competing with Mayo but would complement the project in that county. The area to which I refer is a region in itself. I am getting a lot of feedback from my constituents to the effect that there is a massive opportunity for a project such as the greenway. With the new round of INTERREG funding, and the enthusiasm at local and local partnership levels, partnership companies are already on record as saying they are interested. It would bring people together. Derry city is the fourth largest city on the island. The project would involve people working shoulder to shoulder and it would be excellent, not just symbolically but also practically, in bringing people closer together on this island.

**The Taoiseach:** I am a very strong supporter of the concept the Deputy is talking about. I know about this first hand from the collaboration and co-operation among communities in localities along particular routes. For instance, I had the privilege of launching the official opening of the Beara-Breifne Way between Castletownbere, County Cork, and Breifne, County Leitrim, the route of the march of O'Sullivan Bere in 1602. That 500 km route was developed by communities, Leader groups and parish groups using different funds and is available for people to walk and cycle. An opportunity arose in the west to develop the old railway line between Westport and Achill Island which had lain dormant, disused and overgrown for more than 80 years and because 127 farmers had agreed to open up the route, the local authority, Leader groups and communities got together and the Great Western Greenway is used by thousands of people very week.

As the Deputy has correctly pointed out, there is a brilliant opportunity in the Derry-Donegal area. I suggest that if he wants to lead a charge, a feasibility analysis be carried out of what it might mean, the number of viaducts to be repaired, bridges built and plantations removed and the provision of access, where land is in private ownership, in order that the route can be allowed to run through or around it, as the case may be. The Deputy needs this to be done first. As the Minister for Transport, Tourism and Sport has pointed out, INTERREG funds can be used in a creative way to support projects such as this and communities and local authorities are all for them.

Were this to become a reality, one would find that thousands of people would use it, no more than the opportunity presented by the canal towpath between Dublin and Athlone, about which I have spoken to the Minister, or the old rail track through Barnesmore Gap. These are spectacular areas and there is also an interest in developing a route between Glenbeigh and Cahirsiveen in County Kerry and around Clifden, County Galway. There are extensive areas to which this could apply. As co-chairman of the British-Irish Parliamentary Assembly, he should get local authorities and local groups together. It should be considered.

The Erne project involves a waterway rather than a greenway, but these projects are all in the interests of people who want to be out and about involved in healthy activity. They are safe, opportune and well used when they become a reality. We are an outdoor people by nature and all of these facilities around the country provide a necklace of opportunities that we support to engage in healthy leisure activities and seek enjoyment. It is a case of getting the feasibility study right for the Deputy's project and then examining how creatively the different funding ar-

rangements can be put in place, North and South. It would be a wonderful example of practical, pragmatic, cross-Border activity.

**Deputy Micheál Martin:** I have tabled ten questions in this group on Northern Ireland matters. Questions Nos. 23 and 24 relate to European matters, but they were lumped in to this group for some reason.

On 14 June what was termed “a new economic pact for Northern Ireland” was launched in Downing Street. I watched the launch on television and found it amazing that there did not appear to be any Government involved in the announcement. In addition, there was no mention of the Border region or cross-Border co-operation. The only mention of the Republic in the 15 specific points in the pact relates to an attempt to attract tourists visiting here to spend more money and time in the North. This was not just a discussion about the British budget but also about the economic development of the North. It was almost unprecedented for the all-island dimension to be ignored. I have not witnessed this for some time. I noted the lack of a Government presence at the announcement, but that was a logical extension of the hands-off policy adopted by the Government parties on Northern Ireland. In the past 15 years since the Good Friday Agreement was signed, I cannot recollect an occasion such as this where the Irish Government was outside the discussion on such a pact. A core principle of the Agreement is that the shared economic interests of the entire Border region should be recognised. Will the Taoiseach comment on this and how he envisages that we will return to putting this core strand of the Agreement back into the equation?

My other questions relate to the Justice for the Forgotten group and the Finucane case. The Justice for the Forgotten representatives have been active for years on various issues, but, in particular, they are requesting that files be released on the Dublin-Monaghan bombings in order that relatives can access all of the information available at the time. I do not understand why the Taoiseach has not met them yet. Some months ago and again last year I asked him to meet them. I do not understand why he will not meet them. This was one of the worst atrocities in the past 40 years on the island. Many of us have attended the commemorations of the bombings. The relatives at least deserve some recognition from the Taoiseach and the Government. I acknowledge that he has said officials have met them, but I would have thought that by this stage he would have met them and I am disappointed he has not done so. Will he meet them as a matter of urgency? Can he update the House on the issues that the Justice for the Forgotten group has with the ongoing inquiries into the bombings?

I acknowledge the Taoiseach’s statement that the Government supports a statutory inquiry into the murder of Pat Finucane. Prime Minister Cameron is taking a different position. Will the Taoiseach outline to the House the steps he intends to take to have the Weston Park Agreement implemented in full? This is an international agreement between the British and Irish Governments. Is it the case that the family will have to go to the European Court of Human Rights? Is the Taoiseach disappointed with Prime Minister Cameron’s response to date? Are there creative ways that can be opened up to have the inquiry agreed by the two Governments and under way?

**The Taoiseach:** I welcomed the initiative announced in Downing Street on 14 June which followed publication of the document, Together: Building a United Community, a strategy for good relations from the Northern Ireland Executive. Generally, we have always been involved to some degree or other in North-South developments. This sends a strong message that Northern Ireland is open for business, focusing on the steps needed to improve that position. From

that point of view, I continue to work with our colleagues across the water and in the North to further North-South co-operation as part of our continued efforts.

**Deputy Micheál Martin:** Was the Taoiseach told about this?

**The Taoiseach:** I did not have information on it, but perhaps the Department was notified; I do not know.

As I said in reply to the Deputy's earlier question, I met the representatives of those affected by the Kingsmill massacre and the South East Fermanagh Foundation. In most of these cases departmental officials meet the members of the group beforehand to make arrangements for meetings. They recently met representatives of the Justice for the Forgotten group and the Ballymurphy families. I expect to meet representatives of the Justice for the Forgotten group shortly and representatives of The Disappeared. It is not my wish to prolong these things unduly; it is just simply a case of finding the time. While the Deputy says it is a long time without having a meeting, as he will be aware, one's schedule can be hectic at the least busy times.

I met a North-South representative group recently in County Louth at the eBay jobs announcement to discuss the Narrow Water Bridge project, which is important. I am glad Minister Wilson approved it. We had a couple of engagements on that issue at different times. It will be the first physical connection across the Newry river estuary and will benefit commerce, trade and tourism. We have been continuously supportive of the project both in terms of our support for Louth County Council in making its arrangements and by way of the contribution we are making, together with that of the European Union. The chairman of the council pointed out on the occasion of the formal launching of the Mary McAleese Boyne Valley Bridge that machines will be on the ground at the Narrow Water Bridge site in the shortest possible time.

Deputy Joe McHugh and other representatives from the Border area have been in touch with me in respect of a number of matters relating to the A5 motorway and so on. I spoke briefly to the First and Deputy First Ministers about this issue the other day. Deputy Micheál Martin will be aware that there are a number of legal challenges to the development of the road which are currently being dealt with in the courts. I undertook to have a short meeting with the representative group of Border Members and intend to do so once the Presidency is over.

The North-South Ministerial Council, which was set in train during Deputy Martin's time in government, has been working very well. Ministers on both sides of the Border are in communication between formal meetings and there is a great deal of practical and pragmatic engagement on an ongoing basis. I was pleased to note during the course of the Presidency that Ministers involved in different sectors kept their counterparts in Northern Ireland fully informed and invited them to attend relevant meetings and occasions. A number of colleagues in the North were engaged with the permanent representation in Brussels and were thus kept fully informed on developments in regard to the Common Agricultural Policy, for instance, discussions on which will conclude today and tomorrow. Another example of this type of co-operation will be the appointment of a nominee of the Northern Ireland Minister for Health to the board of the new national children's hospital. Deputy Martin should not read too much into the announcement by Downing Street. We are heavily engaged with the First and Deputy First Ministers on a range of issues and activities. I spoke briefly to both of them at the G8 summit in Fermanagh.

We are conscious of the fragility of certain communities in the North and the need to address the issues they face. I supported the joint statement by the First and Deputy First Minister in

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regard to the first parade of the marching season, which urged people to reflect on the importance of adhering to proper and peaceful standards of behaviour. That is in the interest of every person and every community in Northern Ireland. I hope to meet in due course with relatives of the disappeared, Justice for the Forgotten, the relatives of those who died in Ballymurphy and others. We have a busy schedule but I will try to accommodate them as appropriately as I can.

**Deputy Gerry Adams:** I accept that the Taoiseach is extremely busy but I and other Members have been raising the need for him to meet with the Ballymurphy relatives and Justice for the Forgotten for a long time. I hope he will find space to have those meetings. Being from Ballymurphy myself, I understand how a failure to engage can feed back into a sense of frustration and isolation among the community. I say that respectfully, being conscious of the busyness of the Taoiseach's schedule.

The importance of developing all-Ireland solutions to enhance economic recovery is a notion that is gaining increasing acceptance. The Taoiseach cited the example of the Narrow Water Bridge, which is a very commendable project. Unfortunately, notwithstanding the Good Friday Agreement, many of the institutions of this State are very partitionist. We must recognise that partition is a barrier to economic regeneration. I do not know whether the Taoiseach had the chance to read the Dundalk gateway report which was published last month. That independent report made this case very clearly in its argument for greater cross-Border co-ordination and co-operation on energy, health provision, education, infrastructural development and job creation. Such co-operation will benefit the Border corridor and the citizens of both states on the island.

I commend Deputy Joe McHugh on his very fair and balanced chairmanship of the Joint Oireachtas Committee on the Implementation of the Good Friday Agreement. My own anecdotal sense is that many of the Deputies who have travelled North have had their eyes opened to several of the outstanding issues. The more frequently people visit, the greater the likelihood that they can speak with credibility on these issues. The Taoiseach will recall a recent Sinn Féin Private Members' motion in which we identified aspects of the Good Friday Agreement that are not yet implemented. In fact, the Government's amendment to the motion acknowledged that failure. The introduction of an Acht na Gaeilge and an all-Ireland charter of rights, the establishment of a North-South consultative forum, these are all provisions of the Agreement which are within the authority and remit of both Governments either to implement or to encourage very actively.

Peace is a process, not a single event, and we must keep working at it, nurturing and developing it. Perhaps the greatest single achievement in our time has been the Good Friday Agreement. If, 15 years later, important dimensions of it have not been implemented, that is our fault. I spent yesterday in Belfast and was reminded that the Unionists are reluctant to embrace some of these very important matters, but that should not put us off. The Taoiseach has committed himself to the full implementation of the Weston Park agreement and to an independent inquiry into the killing of Pat Finucane, both of which are welcome. Progress will not be made, however, unless the Government has a strategy in place. I have argued numerous times in this House for an international diplomatic strategy and an institutional linkage into the British Government. The Department of Foreign Affairs and Trade or another appropriate Department must have a facility to hold to account that Government.

We have had several instances of turbulence in Northern Ireland in recent times. The Tour of the North parade culminated in a Minister, Ms Carál Ní Chuilín, being injured and a local MLA, Mr. Gerry Kelly, being treated in a very dangerous and reckless way by PSNI officers.

The record shows that Sinn Féin activists in those areas go in there to keep the peace, maintain calm and offer assistance. The recent arrests of Mr. John Downey and Mr. Michael Burns are totally contrary to the Good Friday Agreement and the Weston Park agreement in particular. Both these individuals were in receipt of letters from the British Government, in accordance with the agreement between that Government and the Irish Government, indicating that they were not sought in connection with any criminal charges. This is a very narrow issue applying only to former republican activists, but it nevertheless creates difficulties in republican heartlands. I urge the Taoiseach to press the British Government to abide by its agreements. We all welcome the release of Ms Marion Coyle, but she remained two years longer than she should have in prison without charge or trial. Mr. Martin Corey is still there because he does not have the same profile. Will he be left in prison forever? The Government must raise these matters with its British counterpart. My main question concerns the need for persistent vigilance, the need for the Government to have an all-island view, to Good Friday Agreement-proof everything and for the Taoiseach to ensure this Tory Government which may enjoy excellent relationships state to state but is remiss in its responsibilities to fulfil the all-island nature of the Good Friday Agreement keeps to its commitments and obligations.

**The Taoiseach:** I thank the Deputy for his comments. I will, of course, be very happy to continue to make the case very strongly that we in this House and the Oireachtas believe a full public inquiry into the murder of Pat Finucane should be carried out. I repeat this every time I have the opportunity to address the British Prime Minister directly. It is the view of all parties in the House, without dissent, that it should follow. In talking to the Canadian Prime Minister before the recent G8 summit I actually reminded him of and thanked him for the appointment of Judge Cory and General de Chastelain from his country who were outstanding personalities, particularly General de Chastelain who was probably the man who eventually oversaw the taking of the guns out of the Northern equation. I will be happy to follow that through as firmly, strongly and often as I can.

On the question of a Bill of Rights, I have said when the Deputy has raised this question before, that we are fully committed to the effective implementation of the Good Friday Agreement and the St. Andrews Agreement. In contacts with the British Government we continue to stress the importance of implementation of all aspects of the Agreements, including a Bill of Rights for Northern Ireland which takes account of the separate and specific context of Northern Ireland. We also continue to work with and urge all parties in the Assembly to engage in constructive discussions with a view to reaching agreement on the substance of a Bill of Rights because if a Bill of Rights is drawn up by agreement between the main parties, it could set out precisely and formally the legal rights on which a shared society in Northern Ireland could be based. I believe all parties here, including Deputy Gerry Adams's party, share frustration at the lack of progress in the production of a Bill of Rights, but it is a matter for the parties in the Assembly to do this. I will be happy to associate myself with it in working with the British Government and the Northern Ireland Executive on this issue.

In contacts with the British Government we continue to stress the importance of implementation of the Irish Language Act for Northern Ireland. It is not to be treated as some sort of Cinderella issue that should be shoved aside. All parties to the Good Friday Agreement recognise the importance of respect, understanding and tolerance in respect of linguistic diversity in Northern Ireland, the Irish language and the languages of the various ethnic communities which are part of the cultural wealth on the island of Ireland. The St. Andrews Agreement called on the incoming Northern Ireland Executive to work to enhance and protect the development of the

Irish language. The British legislation giving effect to the St. Andrews Agreement included a specific requirement on the Executive to adopt a strategy setting out how it proposed to enhance and protect the development of the language. I hope that specific requirement will be dealt with, as is required in the terms of the Agreement.

Deputy Gerry Adams raised an important matter in respect of the arrest of Mr. John Downey and the impact of the British Government's approach to the "on-the-runs", OTRs, as they are called. I understand Mr. Downey was arrested while in transit through Gatwick Airport on 20 May. He was with his wife and daughter on his way to a family holiday. On 22 May the Crown Prosecution Service announced its decision to charge him in connection with the 1982 Hyde Park bombings in which four soldiers lost their lives. Consular assistance has been provided for Mr. Downey and an official in the Irish Embassy in London visited him last Wednesday afternoon. The embassy has made arrangements to continue to provide full consular support. I do not want to comment on Mr. Downey's individual circumstances, but the peace process has been very firmly bedded down, as are the institutions established by the Good Friday Agreement and they have stood the test of time. I am aware of concerns expressed to me directly about the impact of this arrest and its wider implications. The Tánaiste has also raised them directly with the Secretary of State for Northern Ireland. I will leave that issue at that point.

The Deputy also raised a question about an incident involving an MLA arising from the Tour of the North Parade on Friday last. I am aware of this incident involving the PSNI and elected politicians at Carrick Hill. As it has been referred to the Police Ombudsman, it is outside my remit to comment on it. Overall, the police handling of the complexities of the Tour of the North parade ensured it passed off without significant trouble. I take the point Deputy Gerry Adams has made about the involvement of community activists and elected representatives in trying to calm situations that could conceivably get out of hand. I expect that everybody here will agree that the setting up of the new police service in Northern Ireland has been one of the big successes of the entire peace process. The recent advances in public confidence in policing should be defended and built upon and protected. I fully recognise the scale of the challenges facing the PSNI on the security and public order front and the widespread concerns about the marching season, so important for the reputation of Northern Ireland, for its integrity and also for the continued good relations between communities. I urge community leaders in Belfast to re-engage with the commitments they made recently in Cardiff to de-escalate tensions to improve the situation. I also strongly support and did so publicly a couple of days ago at a press conference in Derry the appeal made by the First Minister, Mr. Robinson, MLA, the Deputy First Minister, Mr. McGuinness, MLA, the Minister for Justice, Mr. Ford, MLA, and Chief Constable Baggot for calm and respect in the challenging marching season that lies ahead. If everybody could understand his or her responsibilities and the issue of parades and behave properly, this would be a very beneficial outcome for communities in Northern Ireland and society in general.

**Deputy Regina Doherty:** I acknowledge that the Taoiseach said that at his last meeting with Mr. Cameron it was not discussed, but I think he will agree that there is no question that integrated education is a vital step in Northern Ireland's peace process, followed by housing integration and the integration of the entire society. That is where we are missing the message. This was highlighted superbly last week during the visit of President Obama and his wife to Northern Ireland by a young lady, Hannah Nelson. She is a Methodist College student who completely upstaged our distinguished visitors with the candid simplicity of her speech. She said: "We should not let the past pull us apart and stop us from moving forward ... We need to

work together, not apart. We need to listen to each other and we need to compromise.” The issue of segregation in childhood needs to be addressed. She attends Methodist College where Protestant and Catholic children sit side by side, play, learn and grow up together, but the majority of children in Northern Ireland do not have that facility and remain segregated. If Catholics continue to have their schools and Protestants have theirs, if we cannot see one another in ourselves, if fear, resentment and growing hatred are allowed to harden, that will encourage division and non-co-operation. I ask the Taoiseach, the next time he meets the British Prime Minister, Mr. Cameron, to make it a priority to sit down with him, not just to discuss this issue but to make sure clear and achievable objectives are defined within a timeframe in order that we can see some real change in the integration of education and all of the integration that needs to follow.

**The Taoiseach:** I share the Deputy’s view in this regard. I note the comments made by President Obama in Belfast and it is more than appropriate that he should make them, given his own background and the situation that arose in the southern states of the United States in the 1960s when James Meredith arrived to go to college, or following the decision taken by Rosa Parks not to give up her seat on the bus, which allowed civil rights to be introduced in the United States after the assassination of President Kennedy. In many ways this was a contributory factor to the election of Mr. Obama as President so many years later. When I saw the speeches in Northern Ireland, I was struck by the candour, confidence and positivity of the young student who introduced the First Lady. In her closing remarks she said, “Northern Ireland is my home. The reality is it has a past. ... It [also] has a future.” She is correct. We have to learn the lessons of the past but focus on what we can do for the future.

The Minister for Education and Skills, Deputy Quinn, is involved intensely with his counterpart in Northern Ireland, with many discussions about education and shared opportunities and potential. I will see to it that the subject of integrated education is raised at the next meeting of the North-South Ministerial Council and will have both Ministers work on a paper dealing with it.

**Deputy Patrick O’Donovan:** Yesterday, I attended a British-Irish Parliamentary Assembly committee meeting at Stormont. One issue that emerged was the implementation of new models of education, which Deputy Regina Doherty has just mentioned. Another interesting issue concerned the overall implementation of the Good Friday Agreement. Listening to the various representatives of different communities, be they loyalist or republican, it was noticeable that people genuinely feel the dividend of peace has not trickled down to ground level.

Without giving a commitment today, would the Taoiseach consider with his British counterpart the possibility of an annual report, prepared jointly by the Taoiseach’s office and the UK Prime Minister’s office, on the implementation of the agreement that could be laid before both sovereign Parliaments in Britain and Ireland, as well as the Northern Ireland Assembly, as guarantors? This would provide a further level of support for the agreement and for institutions such as the Assembly, the Executive, the North-South Ministerial Council and the British-Irish Council. With the flags protest and other recent engagements, people are beginning to wonder about the dividend of peace in Northern Ireland. This suggestion of a joint report, which came up at yesterday’s meeting, would ensure here and in Westminster that we give a real voice to the cause of peace. Such a report could put forward proposals on the agreement which would allow us to go forward.

**The Taoiseach:** We already have a committee dealing with the implementation of the Good

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Friday Agreement, of which Deputy McHugh is well aware. The two Governments are co-guarantors of the Good Friday Agreement. I do not see why we cannot put together an assessment of what has worked well in it. We know the issues that are still outstanding. The Oireachtas committee, the Assembly committee and both Governments can reflect on the agreement. I do not see why we cannot have an appropriate discussion on this matter here. Deputy McHugh has raised this matter with me before and I will come back to Deputy O'Donovan on it.

**Deputy Micheál Martin:** I find it somewhat incredible that the Taoiseach was not made aware of the investment announcement in Downing Street by the British Prime Minister, the Northern Ireland First Minister and the Deputy First Minister. The essence of the Good Friday Agreement and the processes around it was that the British-Irish dimension would be central to it at all times, as well as the totality of relationships, such as the North-South relationship, the British-Irish relationship and the relationship between the different traditions in the North. The Taoiseach said that perhaps his officials were informed in advance of the announcement but it was not brought to his attention. That is an incredible and very worrying development which reflects a distancing of the Republic in engagement with the issues.

I am also surprised the Deputy First Minister went along with this, because it has a certain partitionist resonance to it. We have made our contribution to economic development in the North with road network developments and other initiatives. The concept of the all-island economy is important for jobs both North and South. In the future, will the Taoiseach ensure there is greater engagement between the British and Irish Governments on such initiatives and announcements?

**The Taoiseach:** I do not believe there was any deliberate intention of not keeping us in the loop, as it were. I have seen some of the comments that it was expected such an announcement was to be made. I will have to come back to the Deputy on whether we got a copy of the announcement in advance.

The relationship between both Governments is very good, as well as that between officials in my Department and those in Downing Street. The Prime Minister invited me to attend the recent G8 summit, both as holder of the Presidency and because it was on the island of Ireland.

While Deputy Martin is concerned about prior knowledge of the announcement, it may well be that we had advance knowledge of it but it was overshadowed by other Presidency activities. I will find out about that for the Deputy. However, I do not believe there was any deliberate intention of moving off to a point of individual connections or not keeping us informed. We have been engaged with our Northern Ireland counterparts on a whole series of fronts. My officials may well have been informed of the substance of the announcement in Downing Street before it was made. I will check it for the Deputy.

**Deputy Gerry Adams:** It is a fact that many citizens in the North have not had any benefit of an economic dividend from the peace process. That is very clear in areas that have borne the brunt of conflict and that suffered from decades of disadvantage and discrimination.

**Deputy Robert Dowds:** What about the dividend of peace?

**Deputy Gerry Adams:** Arguably, there are also citizens in this State who have not had any economic dividend from decades of so-called sovereignty.

One of the difficulties is that the Assembly does not have fiscal powers. Sinn Féin has been

arguing for the transfer of fiscal powers for some time. The British Government retains control, by and large, through a block grant, which has become a matter of deliberate misinformation in this Chamber. The Taoiseach knows that the British Government unilaterally cut £4 billion off this grant recently. We need to achieve a transfer of fiscal powers to the Assembly, which will help people across the entire island. We also need to continue to make representation on the British Government's responsibilities for the Good Friday Agreement and subsequent agreements. I have no doubt there is a very good relationship between the Government and the State and the British Administration. We would make an awful and grievous mistake, however, if we did not institutionalise the overseeing of the implementation of the Good Friday Agreement. If there is not at this time in existence an implementation body or a group charged with that responsibility, we are heading into trouble in the time ahead.

I commend the matter of fiscal powers being transferred and in terms of people's economic entitlement, that requires regeneration and a focus by Irish Government as well as the British Government on the respective responsibilities.

**The Taoiseach:** We all share the view that with the peace process operating well the general economy improves as a consequence. That is why, in order to keep these things very much in focus, President Obama said in his contribution in Belfast that the United States will continue to work with the British Government, Irish Government, the Executive and the Assembly in the context of support for Northern Ireland, and that is an important factor in all of this. That is why Europe has recognised the importance of the inclusion of the Peace IV moneys; it is €150 million but it is for fragile communities and that is important, and we hope that it comes through under the MFF. We can see the connections with the Narrow Water Bridge project and the economic impact of commerce, trade, tourism and community facilities by virtue of the investment in that project of €16 million from Europe, Northern Ireland, the Government and Louth local authority. We can see the evidence of the value of having the peace process operating very much up-front with the Irish Open last year with young McIlroy and the impact of that and the good feeling it generated in terms of tourism and the hospitality industry and people getting to know the Northern Ireland area and all the facilities there.

Derry has been transformed. It was a privilege to walk across the Peace Bridge again last weekend and to see the transformation of the old military barracks, which is a massive site that contains enormous potential for cultural activities and artisan features. I was informed that more than 1 million people have walked across that bridge in the past two years and that speaks for itself. The city of culture presentation given by Ms McCarthy, who I mentioned earlier, was fascinating in terms of the potential it highlighted and added to that the Fleadh Cheoil to be hosted there later in the year. All of the north west is working hard with the citizens of Derry and its environs to make this a real success.

When I spoke to Prime Minister Abe from Japan, he told me it was the first time a Japanese Prime Minister ever came to the republic since we achieved independence but he was anxious to be associated with Northern Ireland and he invited the First and Deputy First Minister to go to Japan. Japanese investment of 400 jobs in Belfast speaks for itself. These are opportunities for the communities and the economy of Northern Ireland to build on the Good Friday Agreement and on the peace process, and that is important. We should keep all these factors very much to the fore.

The success of the G8 at Lough Erne in Fermanagh was outstanding. We had the impact of the meeting of the leaders of the eight most industrialised countries in the world and they

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expressed that they were very happy at being able to visit Northern Ireland to see the facilities there and get a short-term flavour of the personality and hospitality of the people. That generated a great deal of coverage internationally and that is the best way to promote Northern Ireland and the island as a whole. There were literally thousands of people in the backup entourages of those eight leaders staying in Northern Ireland and south of the Border which was of benefit to the general economy. They are all pointers to what can be achieved if everybody focuses on the future of Northern Ireland - that the young student, to whom Deputy Regina Doherty referred, spoke about - its people and the communities and the integration towards that objective of growing the economy is where we should be focused. We will support that in every way that we can and at every conceivable turn of the road.

**An Ceann Comhairle:** We can move on to Question No. 25 as we have three minutes remaining.

**Deputy Micheál Martin:** Can I ask a supplementary on the previous group of questions?

**An Ceann Comhairle:** You can.

**Deputy Micheál Martin:** On the questions I tabled on the Justice for the Forgotten and the Finucane case, I know the Taoiseach's schedule has been extremely busy but in regard to the Justice for the Forgotten, as has been said by others in the House, this was the largest atrocity during the Troubles. I am talking about Dubliners and people from Monaghan. They have watched other groups being met and in essence they are very disappointed at this stage that the Taoiseach has not met them. He seems to be indicating that will happen sooner rather than later. Can he indicate if he will meet the relatives in the next month or in the next six weeks before the summer recess? Can we say that to them or can the Taoiseach say that to them in the House? It is the least they deserve. They are a constructive group and have legitimacy on their side in terms of the issues that they wish to pursue.

Regarding the need for a statutory inquiry into the murder of Pat Finucane I am unclear from the Taoiseach's earlier reply as to how he intends to progress that with the British Prime Minister. He has indicated that his relationship with the Prime Minister is a good one, notwithstanding the earlier criticisms I had in terms of what happened on the economic side but in terms of the full implementation of an agreement between the two Governments, for the past two and a half years we have been asking the same question in essence. There is a deadlock between the two Governments on this issue. Are creative solutions being worked on by both Governments? Is there any meaningful discussion under way between both Governments to find a way through this particular impasse? Failure to implement the Weston Park agreement in full undermines the credibility of the process and gives ammunition to those who want to undermine and pour scorn on it and its achievements. I ask that some initiative be taken to find a creative way of ending the deadlock and the impasse that has clearly emerged in regard to the fulfilment of an agreement between the two Governments on an independent statutory inquiry into the murder of Pat Finucane.

**Deputy Gerry Adams:** I endorse what Deputy Martin said and appeal to the Taoiseach, if he possibly can, to meet the Justice for the Forgotten, the Ballymurphy families and the families of the disappeared with the others who are waiting to meet him before the recess.

I wish to make a brief comment and also a suggestion which I have made a number of times in the past. The Taoiseach cited thanking the Canadian Prime Minister for the work of General

de Chastelain, Judge Cory and so on. He may have done this but a useful advance on that would be to ask Canadian Prime Minister to quietly raise these outstanding issues with the British Prime Minister. That is one of the ways the British have been encouraged to move in the past and I would commend it again.

**The Taoiseach:** We discussed that issue and, as I said, both nominees from Canada were of significant importance here. We have a very good working relationship with Prime Minister Harper. I hope the European Union can conclude its trade negotiations with Canada in the near future. That is a matter that has been ongoing for some time.

I would like to be able to say that I can meet Justice for the Forgotten, the families of the disappeared and the Ballymurphy residents before the House rises for the summer recess. As far as I can recall, we had fixed a date for the Ballymurphy people but they did not want to take it up on that occasion and it had to be rearranged. I would hope to be able to do that before we rise for the summer recess. The way the legislation is building up we might be here through August. I say that in jest, a Cheann Comhairle.

**Deputy Micheál Martin:** Is the Taoiseach sure he did?

**The Taoiseach:** Regarding Pat Finucane, obviously I cannot direct the British Government here. I have reminded the Prime Minister clearly that this House unanimously, without dissent, agreed that there should be a public inquiry into the murder of Pat Finucane. That was the decision of Judge Cory. That was the decision at Weston Park. That was the decision to which both Governments signed up. I did make the point to the British Government that because Sir Desmond de Silva went through whatever extensive paperwork there was in regard to the Finucane report, which he conducted, that in itself would create a situation where a public inquiry need not be as long or as extensive in drawing together all the paperwork that now exists and that, as a consequence, need not be as costly as might be imagined.

It would fulfil the international agreement and the recommendation of Judge Cory that there be a public inquiry. This is an avenue we could pursue and, over a period, I hope it might become a reality. I understand that Sir Desmond de Silva drew together all the paperwork on this matter and analysed it in coming up with his report.

That report was unacceptable to Geraldine Finucane and her family. I spoke to the family about the matter. We have agreed to continue pressing for a full public inquiry and we stand by that. In my view, a significant amount of work has been done on the matter through the preparation of the de Silva report. If the British Government was now to announce its intention to hold a public inquiry, a great deal of the material would already have been collated and made available. The fears that are always expressed about the extent, length and cost of public inquiries need not apply. I will continue to press that very strongly.

*Written Answers follow Adjournment.*

### **Order of Business**

**The Taoiseach:** It is proposed to take No. 10, motion re proposed approval by Dáil Éireann of the Employment Equality Act 1998 (Section 12) (Church of Ireland College of Education) Order 2013, back from committee; No. 11, motion re referral to joint committee of proposed

approval by Dáil Éireann of the Electricity Regulation Act 1999 (Restricted Electrical Works) Regulations 2013; No. 17, statements on pre-European Council meeting of 27–28 June; No. 18, Thirty-second Amendment of the Constitution (Abolition of Seanad Éireann) Bill 2013 - Second and Remaining Stages (resumed); and No. 12 - motion re statement for information of voters in relation to the Thirty-second Amendment of the Constitution (Abolition of Seanad Éireann) Bill 2013, to be taken on the conclusion of No. 18.

It is proposed, notwithstanding anything in Standing Orders, that: the Dáil shall sit later than 9 p.m. tonight and shall adjourn on the conclusion of No. 12; Nos. 10, 11 and 12 shall be decided without debate; (3) No. 17 shall be taken immediately following the Order of Business and the proceedings thereon shall, if not previously concluded, be brought to a conclusion after 65 minutes and the following arrangements shall apply: the statements shall be made by the Taoiseach and by the main spokespersons for Fianna Fáil, Sinn Féin and the Technical Group, who shall be called upon in that order and who may share their time and shall not exceed 15 minutes in each case, a Minister or Minister of State shall be called upon to make a statement in reply which shall not exceed five minutes, and the order shall resume thereafter with Topical Issues; and the following arrangements shall apply in relation to No. 18: the resumed Second Stage shall, if not previously concluded, be brought to a conclusion at 9.30 p.m. tonight, and Committee and Remaining Stages shall, if not previously concluded, be brought to a conclusion at 10.30 p.m. tonight by one question which shall be put from the Chair and which shall, in relation to amendments, include only those set down or accepted by the Taoiseach; in the event a division is in progress at the time fixed for taking Private Members' business, which shall be No. 113, motion re special educational needs, Standing Order 121(3) shall not apply and Private Members' business shall, if not previously concluded, adjourn after 90 minutes.

**An Ceann Comhairle:** There are five proposals to put to the House. Is the proposal that the Dáil shall sit later than 9 p.m. and shall adjourn on the conclusion of No. 12 agreed to? Agreed. Is the proposal for dealing with Nos. 10, 11 and 12 agreed to? Agreed. Is the proposal for dealing with No. 17 agreed to? Agreed. Is the proposal for dealing with No. 18 agreed to? Agreed. Is the proposal for dealing with Private Members' business agreed to? Agreed.

**Deputy Micheál Martin:** Some six weeks or two months ago I asked about a commitment made in the programme for Government on primary care. The programme for Government promised a universal primary care Act and clearly indicated that universal primary care would be introduced in phases, particularly in respect of recruiting additional doctors, nurses and allied health professionals for the new primary care areas. Crucially, it also promised that access without fee to primary care would be extended in the first year of the Government's term to claimants of free drugs under the long-term illness scheme, at a cost of €17 million. This Government has now been two and a half years in office. Access without fee to primary care was to be extended to claimants of free drugs under the high technology drugs scheme during the Government's second year, at a cost of €15 million. There are many more commitments but I ask the Taoiseach to deal first with the ones I have mentioned. When can we expect them to be fulfilled? He indicated that the Minister of State at the Department of Health, Deputy White, would bring legislation before the House on the first phase, that is, access to free GP care for those on the long-term illness scheme. Where is that legislation, when can we expect it and will it be in the House prior to the summer recess?

**The Taoiseach:** We spoke about this previously and the Minister of State, Deputy White, has done considerable work on it. The Cabinet sub-committee discussed it briefly on Monday. The Minister of State will make his final proposition on long-term illness and primary care in

approximately three weeks' time. I expect he will bring it to the Cabinet sub-committee at our next meeting in July.

**Deputy Micheál Martin:** We were told it would be before the Dáil by now.

**The Taoiseach:** Yes.

**Deputy Micheál Martin:** We got a solid promise that he would revert to us at the time of the announcement. That did not happen.

**The Taoiseach:** He said a number of issues required clarification before it could be finalised. I expect this will take another three weeks.

**Deputy Gerry Adams:** Tá ceist agam faoi reachtaíocht atá fógartha. The programme for Government commits to reforming the current law on employees' rights to engage in collective bargaining so as to ensure the State complies with recent judgments of the European Court of Human Rights. The Labour Party promised in its election manifesto to introduce legislation to strengthen the rights of workers to engage in collective bargaining. The Taoiseach may be aware that the UNITE trade union is considering the withdrawal of its political and financial support for the Labour Party until it receives an assurance that the commitment to protect workers' rights will be upheld. I am sure the Taoiseach would not like to see that happen.

**An Ceann Comhairle:** He would not like to see it on the Order of Business.

**Deputy Gerry Adams:** When will the Government introduce legislation to provide for workers' rights to engage in collective bargaining?

**The Taoiseach:** I do not have a date for that legislation. The workplace regulations legislation is complex. It was to be introduced this session but that will not be possible now.

**Deputy John Deasy:** It has become clear that the revaluation process currently being conducted in Waterford by the Valuation Office will result in businesses, and retailers in particular, going to the wall in large numbers. The Valuation (Amendment) Bill 2012, which was introduced in the Seanad, provides for an entirely different system of assessing rates for businesses based on self-assessment by the property owner. In light of the enormous damage that will be done by massive increases in rates bills for businesses, will the Taoiseach undertake to expedite the aforementioned Bill?

**The Taoiseach:** I understand the Bill is on Committee Stage in the Seanad. I am aware of its implications. It is a matter for the Seanad to deal with the Bill before it comes before the Dáil. At the current rate of progress, I do not envisage it coming before us prior to the summer recess.

**Deputy John Deasy:** I understand that but I am conscious of the damage that will be done with the revaluation process currently underway by the Valuation Office. The Bill has been drafted and introduced because it provides for a better way of assessment - self-assessment by businesses. This is extremely important because businesses will go to the wall under the existing system of revaluation by the Valuation Office. It is absolutely imperative for the Government to expedite the passage of the Bill through the Oireachtas.

**The Taoiseach:** I take the Deputy's point and will discuss the matter with the Seanad authorities to see what their schedule is. The Deputy will be aware that the process of rates being

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imposed on retail businesses on the basis of valuations has applied for many years. The taxation base is being broadened, for example, through the introduction of the property tax. Last year most local authorities were able to reduce rates or suspend rate increases.

**Deputy John Deasy:** The existing legislation-----

**An Ceann Comhairle:** I am sorry, but I cannot have further discussion now.

**Deputy John Deasy:** This is germane. The existing legislation was drafted in 2001 in completely different economic times.

**The Taoiseach:** Of course; I am well aware of that.

**An Ceann Comhairle:** We cannot have a discussion on this issue.

**The Taoiseach:** I will get back to the Deputy on the matter.

**Deputy John Deasy:** I thank the Taoiseach.

**Deputy Timmy Dooley:** In the light of the information revealed in the Anglo Irish Bank tapes, what legislation does the Government intend to put in place to protect tapes of conversations in the other covered financial institutions?

**An Ceann Comhairle:** Has legislation been promised?

**The Taoiseach:** No, but the Minister, Deputy Pat Rabbitte, has been dealing with elements of cybersecurity. Clearly, this kind of information is available in banks-----

**Deputy Michael Healy-Rae:** The Minister would want to call in the Criminal Assets Bureau to deal with the fellows whose conversations were taped.

**The Taoiseach:** I mean banks have data in lots of places and facilities. In so far as legislation is concerned, I mentioned earlier that we were processing the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Bill 2013, which will obviously be relevant in this regard. The tapes were secured by the Garda, on foot of warrants, arising from information given to the force. They were transmitted from Anglo Irish Bank directly to the Garda four years ago.

**Deputy Timmy Dooley:** I just want to provide clarification.

**An Ceann Comhairle:** There is no clarification.

**Deputy Timmy Dooley:** It is important. I reckon that there is a need for emergency legislation to protect information contained in other recordings made in some of the other financial institutions.

**Deputy Mary Lou McDonald:** Why is that, Timmy?

**Deputy Timmy Dooley:** Has the Government given any consideration to that matter?

**The Taoiseach:** The Minister, Deputy Alan Shatter, has been dealing with this complex and technical issue at European level and at home. It was discussed at the relevant Council of Ministers meetings in the past few weeks.

**Deputy Mattie McGrath:** I want to ask the Taoiseach about the proposed health informa-

tion Bill. This day last week over 30 people were waiting for beds in the corridors at South Tipperary General Hospital. The Irish Nurses and Midwives Association has stated this is the third worst number in the country, behind only those for Beaumont Hospital and Cork University Hospital, which is alarming. We are not getting the staff we need. Will the Taoiseach ask the Minister for Health to give the hospital the staff it needs to cope with the situation? Can I also ask-----

**An Ceann Comhairle:** Will we get a response on the legislation first?

**Deputy Mattie McGrath:** I am asking about the health information Bill. I would also like to ask about the criminal records information Bill in the context of what Deputy Timmy Dooley said. Will these tapes be protected? Will our European colleagues be informed of them? I did not get an answer when I asked whether the Minister for Justice and Equality had these tapes. Was he aware that they were handed to the Garda? It is very important that they are protected. The Taoiseach said they had been handed over four years ago. I seek clarification of this.

**Deputy Timmy Dooley:** I wish to clarify that I am concerned about protecting them from sabotage.

**The Taoiseach:** The health information Bill is listed for publication early next year. The criminal records information Bill is listed for publication later this year.

**Deputy Bernard J. Durkan:** On the same subject, I would like to ask about the extent to which the eventual outcome of a criminal investigation can be prejudiced by information gleaned by the investigating authorities - the Garda, in this case. In that context, perhaps the Taoiseach might comment on whether it might be advisable to bring the criminal justice (corruption) Bill to the House as a matter of urgency. The Bill in question could address the issues raised by other Deputies.

**The Taoiseach:** I do not have a date for publication of the criminal justice (corruption) Bill. I will consult the Minister for Justice and Equality to ascertain the extent of the work done in that regard.

**Deputy Derek Keating:** The promised legislation about which I wish to ask is the Children First Bill. Will the Taoiseach advise whether the Bill provides for mandatory reporting? An issue arose in my constituency recently when many parents were unhappy about the level of supervision afforded to 38 children who went on a school trip to County Donegal. An investigation recently took place involving the principal of the school and, apparently, he stepped aside during the course of the investigation. Many parents and others are concerned about the level of abuse in the case.

**An Ceann Comhairle:** We cannot discuss the issue now.

**Deputy Derek Keating:** I have spoken about the matter of mandatory reporting in the Dáil on a couple of occasions. I am interested and anxious to know whether it will be provided for in the legislation I have mentioned.

**The Taoiseach:** The Deputy has been an advocate of this issue for some time. A great deal of work has been done on the Children First Bill which was supposed to come through the House before the summer recess. Given the pressure on legislation, I cannot see it actually making it through. I think it will be taken early in the next session.

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**Deputy Derek Keating:** Will the Taoiseach indicate whether mandatory reporting will be included in the Bill?

**An Ceann Comhairle:** That is a matter for the debate on the legislation when published. We cannot debate it now.

**Deputy Derek Keating:** Will the Taoiseach come back to me on it?

**The Taoiseach:** I will.

**Deputy Michael Healy-Rae:** The Home from Home family support service in the Ballydowney area of Killarney offers after-school activities to children with special needs, many of whom have needs that require a one-on-one service. The Taoiseach kindly opened the service.

**An Ceann Comhairle:** That is very good.

**Deputy Michael Healy-Rae:** He made a substantial personal donation which we all very much appreciated.

**An Ceann Comhairle:** That is even twice as good, but will the Deputy get on with it?

**Deputy Michael Healy-Rae:** I will. Why has this vital service not received the recognition that it deserves in the form of adequate structural funding?

**An Ceann Comhairle:** The Deputy is not going to get an answer on the Order of Business.

**Deputy Michael Healy-Rae:** I am asking this question in the context of the Education For Persons with Special Educational Needs Act. The Taoiseach is well aware of this excellent service.

**An Ceann Comhairle:** About which legislation are we talking?

**Deputy Michael Healy-Rae:** I have mentioned the Education For Persons with Special Educational Needs Act.

**The Taoiseach:** Elements of the Act have not been implemented. I am not sure about which section the Deputy is talking.

**Deputy Michael Healy-Rae:** I am talking about funding.

**The Taoiseach:** I will ask the Ministers for Children and Youth Affairs and Education and Skills to follow up the matter for the Deputy.

**Deputy Aodhán Ó Ríordáin:** I would like to know when the Employment Equality (Amendment)(No.2) Bill 2013 which has passed Second Stage in the Seanad will appear before this House. The Bill proposes to remove the right of State-funded religious institutions to discriminate against individuals whom they consider undermine their ethos, including members of the LGBT community.

**The Taoiseach:** I will have to come back to the Deputy on it. I cannot give him an answer now.

**An Ceann Comhairle:** The Bill is before the Seanad.

**The Taoiseach:** It is.

**Deputy Aodhán Ó Ríordáin:** It has been passed by the Seanad on Second Stage.

**The Taoiseach:** Has it gone completely through the Seanad? I will ask the Whip to let the Deputy know when it will be brought before this House.

**Deputy Timmy Dooley:** That old Seanad is doing a fine job unknown to the Taoiseach.

**The Taoiseach:** I am informed that the Bill has yet to pass through Committee Stage in the Seanad. It has finished Second Stage. They do things more quickly over there.

**Deputy Timmy Dooley:** More quickly than the Taoiseach gives them credit for.

**The Taoiseach:** The rush is on.

**Deputy Mary Lou McDonald:** Will the Taoiseach confirm that the Cabinet today considered Mr. Justice Quirke's report on redress for survivors of the Magdalen laundries? When does the Government intend to publish the report? Will the Taoiseach give us an update on the Government's position on the recognition of, and provision of compensation for, the Bethany Home survivors?

**The Taoiseach:** I can confirm that the Cabinet considered the Quirke report on the Magdalen issue today. The Government has approved Mr. Justice Quirke's recommendations and the report will be published tomorrow. A press conference will be held by the Minister for Justice and Equality and the Minister of State, Deputy Kathleen Lynch, to deal with its implications. The women who are involved will receive a copy of the report and coverage in that regard. The Minister for Justice and Equality will report on Bethany Home. That will probably happen in the next two or three weeks.

### **Employment Equality Act 1998 (Section 12)(Church of Ireland College of Education) Order 2013: Motion**

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

That Dáil Éireann approves the following Order in draft:

Employment Equality Act, 1998 (section 12) (Church of Ireland College of Education) Order 2013,

a copy of which Order in draft was laid before Dáil Éireann on 4 June 2013.

Question put and agreed to.

### **Electricity Regulation Act 1999 (Restricted Electrical Works) Regulations 2013: Referral to Joint Committee**

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

That the proposal that Dáil Éireann approves the following Regulations in draft:

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Electricity Regulation Act 1999 (Restricted Electrical Works) Regulations 2013,

copies of which have been laid in draft form before Dáil Éireann on 13 June 2013, be referred to the Joint Committee on Transport and Communications, in accordance with Standing Order 82A(4)(j), which, not later than 9 July 2013, shall send a message to the Dáil in the manner prescribed in Standing Order 87, and Standing Order 86(2) shall accordingly apply.

Question put and agreed to.

### **European Council Meeting: Statements**

**The Taoiseach:** The European Council will meet in Brussels on Thursday and Friday this week. This summit will be the fourth and final such meeting to take place while we have held the chair of the Council of the European Union. The meeting will take place over our final two working days as holder of the Presidency. It will serve as a most welcome opportunity for me to update my colleagues on the broad range of achievements which, through their co-operation and engagement, have been possible on our watch.

I am proud of the job that Ireland has done over the course of the last six months. Whether it was in brokering agreement on key elements of the banking union, advancing agreement with the European Parliament's negotiators on the multi-annual financial framework, MFF, or the reform of the Common Fisheries Policy, our officials and Ministers have distinguished themselves over the course of this semester. Not only have we achieved a great deal, but we have conducted the Union's work in a positive, open and engaged manner. We have considerably added to the restoration of Ireland's reputation as a serious and engaged partner within the European Union and on the world stage. I believe that this, our seventh time to hold the Presidency, is an experience that both the European Union and Ireland can be justly proud of.

This week's meeting of the European Council will, first and foremost, concentrate on overcoming the scourge of excessive youth unemployment. Given the situation here, I wholeheartedly welcome this clear focus for our deliberations this week. It is both fitting and timely. Hand in hand with this, leaders will consider how best to improve access to finance for the real economy across Europe, particularly for the SME sector, which is a key driver of employment, growth and jobs. To this end, I expect we will launch a new investment plan, which will build upon financing to be made available through the next multi-annual financial framework and from the European Investment Bank, including on the basis of the recent increase in its capital. Leaders will also take stock of the implementation of the Compact for Growth and Jobs, one year on from its adoption. While progress has been made in delivering various measures under the compact, it is clear that more remains to be done.

This meeting of the European Council will see the conclusion of the European Semester process for 2013 with the endorsement of a series of country-specific recommendations. I warmly welcome the priority that I expect the European Council will ascribe to the completion of banking union. This is an issue to which, as holder of the Presidency and nationally, we have given top priority. This week's meeting will also take stock of where we are on strengthening economic and monetary union, a process that President Van Rompuy has been working on, with our close collaboration as holder of the Presidency. More remains to be done on this before it

is ripe for decisions to be taken. During a meeting that will be an extremely busy one, we will also consider this week issues related to EU enlargement, the EU's relations with its strategic partners and the expansion of the euro area to include its 18th member - Latvia - from the beginning of next year, a development I welcome.

I am satisfied that, as points of particular focus for this meeting of the Council, President Van Rompuy has highlighted the two key issues of youth employment and financing the economy, especially the SME sector. I expect we will agree concrete measures in both of these areas, which are, of course, interrelated.

The most recent EUROSTAT data show there was a further fall in the Union's employment levels in the first quarter of 2013, and there are now more than 26 million people unemployed in Europe. Ireland is one of 11 member states in which the underlying employment trend is positive. It is clear that the painful adjustments we are making at national level are beginning to show tangible, if still modest, results. That is why we can be confident that this year, 2013, will mark our return to net employment growth for the first time since 2007. However, as long as anyone who wishes to work remains without a job, those numbers will remain too high.

At EU level, there is a bleaker picture. European employment numbers have been falling since the end of 2011 and the euro area has now experienced six successive quarters of declining economic output. The reality is that the key risk to the economic outlook in Ireland and beyond is the fragility of the wider EU economy. This is why we set a clear course at the end of last year for an Irish Presidency that would underpin recovery in the real economy and a return to net employment growth. The most recent forecasts are now for a modest pick-up in economic activity in the second half of this year.

I am greatly encouraged that we will this week agree a series of concrete measures to combat youth unemployment. These include speeding up and front-loading disbursements under the youth employment initiative in order that it will be fully operational from the beginning of next year and in order that the disbursement of the €6 billion allocated to it under the next MFF can happen over the first two years - 2014 and 2015 - of the MFF. Member states benefiting under the youth employment initiative, including Ireland, will be asked to develop implementation plans before the end of this year for the youth guarantee, as agreed under the Irish Presidency in February.

Leaders will also highlight the importance of mobility within the Single Market, including through the Your First EURES Job programme and appropriate use of European Social Fund allocations. The ERASMUS+ programme, which supports cross-border mobility schemes, is to be fully functioning by the start of next year. The agreement, during our Presidency, on the recognition of professional qualifications will make a real and substantial difference to the mobility of workers across Europe. Apprenticeships and other work-based learning opportunities are also to be promoted.

The scale and seriousness of the issues surrounding youth employment are such that we will engage with all stakeholders in this area. To this end, leaders at the European Council will hear from social partners ahead of the formal meeting of the Council, and the social partners will present their framework of actions on youth employment, which they adopted earlier this month. I look forward to that exchange.

Closely related to getting to grips with youth unemployment is the need to improve the

financing of the real economy. While financial markets have calmed considerably, the most recent ECB lending surveys show that aggregate business lending continues to contract. There is also clear evidence of financial market fragmentation, undermining the potential for new investments where they are needed most. Thus, it is crucial that we work to restore normal lending conditions. In addition to the need to keep to our agreed timelines on banking union, it is clear that more immediate measures are also needed. Business access to finance remains a bottleneck that we must address more effectively. It is in this context that leaders will this week launch a new investment plan which will build upon and leverage the funding to flow from the Union's budget - the next MFF - along with the enhanced lending capacity of the EIB on foot of the increase in its capital. A joint Commission-EIB report which was published last week indicates that the €10 billion capital increase provided for in the Compact for Growth and Jobs is allowing for new lending targets in the EU of €62 billion in 2013 and €182 billion for the period 2013 to 2015. This is an expansion of just under 50% on the pre-capital increase business plan. In the first five months of this year, project signatures are already up by an average of 66% on the corresponding period last year, which is to be welcomed. The report estimates that this year project signatures in Ireland will reach €650 million, up almost 30% on 2012. The April visit to Ireland by the EIB's president, Mr. Hoyer, and his senior management team saw the reopening of the PPP market here for the first time since 2007 and the announcement of €200 million in new credit lines for small and medium-sized enterprises, to be delivered via AIB. We believe there is further room for improvement in the quantum of EIB support for Ireland, and I assure the House that the Ministers for Finance and Public Expenditure and Reform, Deputies Noonan and Howlin, continue to engage closely with them in this regard.

The report confirms that the Commission and the EIB are working with the ECB to develop an EU strategy to alleviate business financing constraints. These discussions focus on reviving structured credit markets to support SME lending in particular. I look forward to hearing the views of President Barroso, Mr. Hoyer and Mr. Draghi in this regard. Beyond this potential for a short-term asset-driven EIB-ECB initiative, the Commission and the EIB have presented options for developing a new joint risk-sharing instrument that would blend resources from the new MFF with EIB lending capacity. This joint instrument would be used to guarantee dedicated credit lines specifically earmarked for the SME sector. I look forward to our discussions on these options, including presenting Ireland as an ideal pilot for the further development of proposals here. The management of the third European semester cycle of economic policy co-ordination has been an important Presidency activity in the past six months. We have been working hard to improve dialogue within the Council and to strengthen ownership of proposed national reform measures. Our goal has been to ensure that all relevant Council formations worked in a co-ordinated and consistent manner towards a thorough preparation of the March and June European Councils. The stronger fiscal rules now in place, including our finalisation of the two pack, are also supporting a more balanced emphasis on the structural soundness of public finances. The process has worked well. I expect the June European Council will settle, without controversy, clear, country-specific recommendations for the national budget cycles across the European Union in the second half of the year.

Regarding the compact for growth and jobs, progress has been made on implementation of the various measures, but it is evident that much more remains to be done. During our Presidency we have also made solid progress across a range of files critical to delivering on the compact, including on the single market, the digital single market and innovation. Importantly, we will return to take the pulse of the compact on the basis of a progress report to the December European Council. I am particularly gratified that this week's European Council will recognise the

breakthrough made on EU-US trade, with the agreement of an EU negotiating mandate earlier this month. This was a very high Presidency priority and I want to pay tribute to the Minister for Jobs, Enterprise and Innovation, Deputy Bruton and his team on their role in ensuring the launch of negotiations on a transatlantic trade and investment partnership, TTIP.

I expect that leaders will this week identify completing banking union as a short-run key priority. That is a position which Ireland, as Presidency and nationally, has tirelessly advocated. I welcome the very considerable progress which has been made since January, especially on the capital requirements directive, CRD IV, and the single supervisory mechanism, SSM. The Minister for Finance, Deputy Noonan will chair a further meeting of ECOFIN tomorrow, with a view to progressing the bank resolution and deposit guarantee aspects of banking union.

The bank recovery and resolution, BRR, proposals set out the framework for how banks in distress are to be resolved. This is a further key step towards completing banking union and ensuring the breaking of the link between sovereigns and banks. In the coming days, the Commission will bring forward a proposal for a single resolution mechanism, SRM, to co-ordinate the application of resolution tools to banks. This should be a natural complement to the establishment of the single supervisory mechanism.

One of the key lessons learned from the euro area crisis is that monetary union must be linked with greater fiscal and economic convergence. As agreed at the EU summit last December, a number of issues on deeper integration of the economic and monetary union, EMU, including *ex ante* policy co-ordination and the idea of contractual arrangements, have been examined by President Herman van Rompuy. The Irish Presidency has been centrally involved in assisting him through this process, particularly by facilitating a series of consultations across a range of Council formations. President Van Rompuy will present his road map to this week's European Council, but it is expected that time for further reflection will be agreed so that leaders can return to these issues again in October and December.

This month's European Council will also discuss enlargement. Today, at the general affairs council, GAC, under the chairmanship of the Tánaiste, important decisions will be taken on the next steps on the EU paths of Serbia and Kosovo. I hope to see the GAC recommend to the European Council that the EU open accession negotiations with Serbia. The GAC will also take a decision on opening negotiations on a stabilisation and association agreement with Kosovo. I am delighted that these important decisions are being taken during the Irish Presidency. We have prioritised a credible enlargement process, based on the principle of conditionality. The past few months have seen developments in Serbia-Kosovo relations that are no less than historic. The engagement of both countries, including the agreement reached in April, is a testament to the political courage of both Prime Ministers, to the tireless efforts of High Representative Catherine Ashton, and to the potential of enlargement to transform the lives of the people of Europe for the better. It is fitting that the EU now recognises these efforts by agreeing that Serbia and Kosovo should move forward on their individual paths to EU accession.

While this week's summit has an extremely packed agenda, we will be focused on issues central to Ireland's Presidency priorities of stability, jobs and growth. Combating youth unemployment and the facilitation of the real economy through access to finance for SMEs, will be at the top of our agenda. This meeting is all about making a real difference, through concrete measures, to employment and growth across the EU. I will, again, hope to play an active and positive role, as Ireland's representative and as President of the Council, on each of our agenda items at the end of this week. I will, as is our practice, report back to the House following this

meeting of the European Council.

**Deputy Micheál Martin:** As predicted six months ago, the Taoiseach is marking the impending end of Ireland's Presidency with an active programme of over-claiming progress and under-playing problems. It is certainly the case that there have been moves forward in finalising a number of programmes. Our diplomats have once again shown that they are highly professional and effective. They are rightly seen as among the best in Europe. In contrast, the political progress in the past six months has been slight and there has been no significant advance in tackling the most significant economic and political crisis in the history of the Union. While the Taoiseach spends time patting himself and his Ministers on the back, the EU's agenda today is exactly as it was six months ago. Nothing that has been done in the past six months gets the Union any closer towards helping its 27 million unemployed, towards addressing the core flaws in monetary union or moving to an economic policy capable of delivering growth and jobs.

In some areas, such as the Union's budget, banking union and the Common Agricultural Policy, developments have been extremely negative. After a period of relative stability brought in last year by the hope of some radical action, even the situation in the sovereign bond market has taken a significant turn for the worse. May was one of the four worst months for government bonds in 20 years. Many commentators are concerned that hard-won confidence in the future of the euro has been wasted by political leaders incapable of doing anything radical except when faced with a potential meltdown. This week's summit will aptly sum up the lack of urgency or ambition of the past six months. There has been no attempt to get leaders to confront the clear failure of co-ordinated universal austerity or the need to reinforce the foundations of economic and monetary union.

While the Taoiseach broke with the practice of all previous holders of his office and made partisan domestic comments to an international audience, he did not use the Presidency to lead any call for action or to try to change agenda. We are ending this Presidency embroiled in a political controversy for the first time in 40 years. Never before has any person, let alone a succession of elected leaders in the European Parliament, had cause to accuse an Irish Presidency of manipulation or spin. The scale and tone of the reaction against the Tánaiste's handling of budget negotiations is unprecedented and glibly trying to brush it away is not acceptable.

In the past two and a half years we have all got used to a Government obsessed with spinning every minor development. We have to endure a daily avalanche of press releases and speeches by Ministers praising themselves and exaggerating the significance of their actions. This approach, when exported to a sensitive negotiation, has been explosive. There have been frantic efforts to cover over the traces of what happened last week but the facts speak for themselves. There was no agreement on the budget. The Tánaiste said he could go no further and it was accepted that the Council and Parliament would be presented with a document which represented what he said was the most with which the Council would agree. The majority of the Parliament's negotiating team explicitly refused to sign up to this. Yet on Wednesday evening the Tánaiste put out a press release where he claimed there had been a "very significant tentative agreement" which represented, he claimed, "a good day for the EU". He also claimed that all four of the Parliament's main concerns had been addressed. It was many things, but "a good day for the EU" was not one of them. Irrespective of what now happens, our reputation as negotiators who play everything straight has been damaged.

The strong words of leaders of the main groups in the European Parliament remain on the record and uncorrected. The Tánaiste could have chosen to issue a low-key and descriptive

press release. He did not. He did what his Government does every day in the Irish media: put spin before substance. There will be a deal on the budget, or MFF, because there has to be a deal. The decision of a core of countries to insist on cutting the overall size of the budget means that it will cause damage to effective programmes. It will also ensure that the Union is a marginal player in the urgent work of directly helping citizens in need. However, within the overall cap there is more that can be done. This should have been a constructive engagement between the political leaders of the Council and those of the Parliament. At this point all we can do is to hope that it has not caused too much damage.

The decision to transfer the entire European affairs division of the Department of Foreign Affairs and Trade to the Office of the Taoiseach was a bad one which should be reversed. The great strength of our diplomatic engagement with the Union has been the focus place on it by the entire diplomatic corps. Previous taoisigh handled more complex and difficult negotiations during Presidencies with only a small European section working closely with the Department of Foreign Affairs. It was a model which worked well and there was no need to change it. It is amazing that the formal role of the Taoiseach in a Presidency has been cut while his in-house staff numbers working on the Presidency have dramatically increased.

Specific matters are due to be finalised this week. It would be better to have no deal on the Common Agricultural Policy than a bad deal. The concluding of this negotiation under our Presidency will be no achievement if it is damaging to rural Ireland. The overall funding framework agreed by the Taoiseach and other leaders earlier this year will see the CAP take a major hit. In order to create room for other programmes, the Union's oldest and most successful support programme is being cut. The right deal is one which recognises both the economic and social roles of the Common Agricultural Policy. A deal which prioritises protecting larger production units should be rejected.

No matter is more urgent for growth and jobs than fixing Europe's financial system. If banks do not lend to businesses and families then the crisis will continue to deepen. The Taoiseach's remarks this evening confirm that lending to SMEs is contracting across Europe and in this country. Reasonable lending will not return without a strong banking union. Discussions are ongoing and there is likely to be an agreement on part of the banking union framework this week. However, this is no more than one part of the framework and the available information is that it will be watered-down. Agreement to set aside a part of the ESM to fund direct bank recapitalisation has been delayed for too long and it is likely to be completely inadequate for the job required of it. The Taoiseach has again told the House about the great progress his Government is delivering on this issue. He would be better served accepting that what Europe needs is not just an agreement on disbursing ESM funds, but the right agreement, one which is capable of achieving the core objective of giving a sound foundation to the financial system. Independent analyses show that the agreement which is being discussed is too little and too vague. It appears that an amount of approximately €60 billion for bank recapitalisation is being considered. Independent estimates indicate that an amount of up to €1 trillion will actually be required. Even if this is much lower, the market now understands that major national funding for recapitalisations will be required. This is one of the many factors behind recent increases in bond yields. In terms of retrospective recapitalisation, the Government has never stated what, if anything, it is looking for. It has already described the acceptance of a case-by-case evaluation of needs as a great victory. However, what specifically is Ireland asking for? Last year, the Minister for Finance, Deputy Michael Noonan, informed a Dáil committee that he did not see the benefit of selling off the State's stake in the pillar banks to the ESM – which would con-

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crete our losses. What has changed since then? The truth appears to be that the ESM will be important for Ireland only in the context of future recapitalisations. I strongly support the idea that the ESM should play a role in a proper initiative to deal with the domestic mortgage crisis. While the Government has spent two years saying it has everything in hand, the Governor of the Central Bank, Professor Honohan, has now stated that the crisis needs to be addressed urgently. In addition, there remains the fundamental point that Ireland has not received full justice for its case for a relief on the impact of bank-related debts. Unlike the Taoiseach and the Tánaiste, the Minister for Finance has generally avoided putting party politics ahead of the national interest. He has consistently stressed how many of Ireland's debts are directly linked to European policies. Allowing the Central Bank of Ireland to hold its Irish bonds to maturity and returning all euro system profits on Irish bonds to our Exchequer, would be worth €2 billion a year. I am amazed that the Taoiseach has not even mentioned this in public, let alone put it on the agenda for meetings with other leaders.

Many countries have no alternative but to work to immediately cut their deficits while others have a lot more flexibility. The adoption of uniform austerity even in countries with an alternative has caused the most damage in the past two years. It has been self-defeating and has prolonged the recession while widening deficits even further. This has been recognised by every agency except the European Commission. This week's Council will sign off on a series of country-specific recommendations which mark no significant move from the failed policies of recent years. Ireland should not welcome, let alone promote these, as the Taoiseach has done.

It has been reported that the Government will publish a Green Paper prepared by the Minister for Defence, Deputy Alan Shatter, which will propose that Ireland loosen the triple lock on overseas military engagements. This is happening just as the final countries are formally enacting the Lisbon measures which explicitly address Ireland's concerns on this matter. It appears that Fine Gael is arguing that Ireland is failing in its European responsibilities and is allowing Russia and China to have a veto over our peacekeeping activities. This is nothing more than an out-of-touch ideological obsession on the part of Fine Gael which ignores the facts of Ireland's international standing. Few countries in the world are held anywhere near the esteem in which Ireland is held because of its frequent participation in peacekeeping and the wonderful work of our soldiers and gardaí. These missions are not undertaken easily but Ireland does so wholeheartedly and with real impact. The current policy works and it has complete popular legitimacy. There is no reason whatsoever to change it. Such a change will impress no one in Europe and it will contribute nothing to international peace. Instead of sniping at our neutrality, the Government should acknowledge what we have achieved because of it and set out a policy to strengthen rather than to undermine it.

I expect the situation in Syria will be discussed at the Council meeting. The Assad regime, which has been guilty of by far the most violence and the greatest number of killings, is being openly supplied with arms by Iran and Russia. It is now aided by Hezbollah – a client organisation of Iran. In practical terms, the embargo on the rebels has empowered more extreme groups and undermined those who want democracy in Syria. There has been no progress in recent weeks. The regime has gained in strength and has shown no real interest in the Geneva peace process. It appears to believe that it can finish off the rebels and not have to negotiate. If this happens it will be to the shame of Europe and the democratic world that it talked about Syria for so long but could never do anything concrete to help. I am not in favour of a military adventure but the world must not stand by and allow the massacres to spread into new areas. In the second decade of the 21st century we cannot just look away as the Middle East experiences a new mass

refugee crisis. Refugees are being refused entry to countries all over Europe and the camp sites in the Lebanon are getting larger every day. This in itself will add to instability in the region.

The past six months has been a time of small developments in the European Union. The programme outlined by President Van Rompuy to the European Parliament a year ago remains unchanged. A period of relative calm brought on by the intervention of Mario Draghi is being squandered because of the complacency of Europe's leaders. With little urgency and less ambition they have not put in place a credible strategy for jobs and growth. Worse still, they are leaving Europe open to a new debt crisis because of the failure to comprehensively implement past agreements. This summit does not enable a major step forward on any action to resolve the crisis and it is therefore another missed opportunity.

**Acting Chairman (Deputy Ann Phelan):** Deputy Gerry Adams is sharing his time with Deputy Seán Crowe.

**Deputy Gerry Adams:** This week's summit meeting marks the end of Ireland's Presidency of the Council of the European Union. In his remarks today, the Taoiseach claimed to have achieved a great deal and I am sure he has done his best but it is a Presidency which is marked by missed opportunities. These include the failure to advance the cause of peace in the Middle East as well as more important matters closer to home. The most recent example is the Tánaiste's exaggeration about the outcome of negotiations on a potential EU deal on the multi-annual financial framework. This time, Deputy Gilmore's actions backfired badly and have potentially serious implications for Ireland's EU Presidency. A proposal by the Irish Presidency to the European Council was elevated to the status of an achieved deal. As a consequence of his actions, the Tánaiste has created a storm of opposition to what was negotiated and some MEPs and parliamentary groups have now come out against it. While there has been some notable public discussion, little attention has been paid to the fact that what is on the table will not provide the funding necessary to deliver growth, jobs and, in particular, aid to the most deprived. That includes programmes to fight youth unemployment across the European Union.

I understand the Irish Presidency has not yet formally presented its proposal to member states. The General Affairs Council and ECOFIN meet this week. Will the proposed budget be presented at either of these meetings? Has the Government now formally backed down on the Tánaiste's original claim that there is a deal with the European Parliament? Can the Taoiseach clarify whether the EU budget or MFF will be on the agenda for this week's European Council meeting or will be discussed informally? This is not the first time Irish Ministers have tried to oversell the results of their negotiations at EU level. A year ago, the Eurogroup said it would "break the vicious circle between banks and sovereigns". The Taoiseach told the House that a deal had been done and that the legacy debt issue was sorted. The Tánaiste called the statement a game-changer and the Taoiseach referred to it as a seismic shift. Since then and during the Irish Presidency, there has been no progress on the claims that the Government made. What is now on the table appears to be only a partial break, or dilution, as Olli Rehn put it.

Under EU pressure, the State pumped €30 billion into the pillar banks. In fairness, the European Union has admitted it made mistakes. The State caved in and agreed to repay the toxic Anglo Irish Bank debt. Ireland was a guinea pig in a failed experiment. We have seen in recent days how this debt was placed on the shoulders of the Irish people through a concerted effort by executives in Anglo Irish Bank to defraud the State and the light-touch regulation of Fianna Fáil in government. It is disgraceful, therefore, that the Government turned the bad banking debt of Anglo Irish Bank into sovereign debt. The Government has no problem imposing cuts on child

benefit, funding for people with disabilities and respite care and implementing a tax on the family home. While it is unflinching in imposing austerity and cuts, it is mediocre when it comes to demanding a fair deal for Ireland from the other European Union member states. Whatever potential the Government claimed to have achieved last June has failed to materialise.

I will briefly deal with the issue of the Common Agricultural Policy. I note that talks on CAP have resumed in Luxembourg this week. The current system is badly skewed in favour of a small minority of recipients who receive the lion's share of the single farm payment. It is vital, therefore, that the new system includes a significant redistribution of those funds towards the majority of farmers, many of whom are struggling to maintain a viable income. There are a number of proposals on the table which can deliver reform. I strongly urge the Minister for Agriculture, Food and the Marine, Deputy Simon Coveney, to support those proposals, which can bring about the required changes. We do not advocate that productive farmers should be at a loss but the claim that those who stand to benefit from a redistribution are unproductive is an insult to tens of thousands of small Irish farmers. It is not a valid defence of a system under which in some counties a handful of individuals and companies receive as much in payments as hundreds of others.

The ongoing conflict in Syria is a cause of great concern. Efforts by outside elements to bring even more arms into the region must be opposed. I welcome the Tánaiste's position on behalf of the Government. Will the Government actively promote this position at the summit?

**Deputy Seán Crowe:** This is the last European Council meeting under the Irish Presidency. I wish the Taoiseach and his team well in negotiations on discounts. Ireland's Presidency theme was stability, jobs and growth, and it was stated that 2013 would usher in a new phase of recovery in the European Union. Deputy Adams has outlined how the Presidency has failed to deliver for Ireland macroeconomically. It has also failed to usher in a new phase of recovery in the European Union, especially for those under the age of 25 years.

While there were positive developments during the Presidency, the lack of urgency or a sense of crisis on youth unemployment in particular has been criticised. One in four young people in the European Union is currently unemployed. That is a shocking figure and completely unacceptable in terms of what it means for those young people, their families and their communities. This State, which has experienced record levels of emigration since 2009, has one of the highest rates of youth unemployment in the European Union, at over 30%. It is obvious that without the safety valve emigration has provided to the Government, unemployment levels in the State would be significantly higher. The Taoiseach indicated that employment in the European Union is falling while unemployment is rising. The effects of youth and long-term unemployment combined with high rates of non-participation in education and training pose a serious social and economic threat to the European Union. It may be the most serious threat since the European Union was formed. Notwithstanding the fact that there are 26 million people unemployed across the European Union, according to the Taoiseach's own figures, there is no sense of urgency about tackling the problem. A Eurofound report investigated the financial costs of youth unemployment across the European Union. It found that the cost to the European Union of young people not being in employment, education or training is a staggering €153 billion annually. That is the task facing the Taoiseach in the forthcoming meeting.

The European Council has repeatedly told us that it will establish the youth guarantee and tackle this major issue. In February, the Council announced that a youth guarantee worth €6 billion would be put in place for 2014, to run to 2020, in countries with youth unemployment

rates of over 25%. The message young people would like to hear is that apprenticeships will be created, but we are not seeing any of that. There was a smokescreen in the creation of 500 apprenticeships in the ESB, but we have not seen that extended across State bodies or local authorities, which might have a significant impact. The idea of an EU-wide youth guarantee is positive and I welcome the intention and purpose of the proposals. My main concern is that the youth employment initiative fund is grossly inadequate to fully address the massive problem of youth unemployment across the European Union.

I note that the Council meeting will discuss the youth guarantee and I urge the Taoiseach to strongly recommend that the Council consider supporting an increase in the funds available. I have raised this proposal consistently over the last six months. Any youth guarantee must reflect the scale of the problem across the European Union. Everyone accepts that the problem is getting worse, not better. The increasing numbers of young people in unemployment and the proposals from the European Parliament to expand the eligibility and criteria for the scheme must be addressed. While the passing of the €6 billion youth guarantee proposal will get some positive headlines for a few days, if it is not robust or funded sufficiently, it will fail those millions of young people who are crying out for hope and some chance of employment.

My concern is that all it will do is raise the hopes of young people in a couple of months without being enough to stimulate the economy and resolve the issue. The legacy of Ireland's EU Presidency could rest on achieving a youth guarantee that is fit for purpose and will achieve success. The current proposals do not do that.

Under the Irish Presidency there have been some negative developments in foreign affairs. Recently, the European Union has decided not to renew the arms embargo on Syria. This is a retrograde step as sending arms to the war-torn country will only increase the bloodshed and violence. We were told the British Government is planning on directly arming the rebels now on the back of a game changer, namely, the use of chemical weapons. No information is coming out of the country in respect of who was using the weapons. There is no information on the Assad regime and its chemical weapons uniforms. There are no photographs. There is a big question mark over this but it seems to be the game changer. What is happening in the country is unacceptable. Ireland has played a positive role, as Deputy Adams said, and I hope we can continue to do so. People are crying out for support in those camps and what is happening is appalling.

Members of the Oireachtas Joint Committee on Foreign Affairs and Trade went to Jordan recently to look at the conditions. Conditions in Lebanon are getting worse. If Ireland has a voice, it must speak out about what is happening in that part of the world. It is unacceptable and it will lead to further bloodshed, hurt and families suffering. The decision not to renew the arms embargo is a retrograde step. I call on the Taoiseach to use whatever influence he has on the rest of the Council to bring some common sense to the issue.

**Deputy Mattie McGrath:** I propose to share time with Deputy Stephen Donnelly. I am delighted to speak on pre-European Council meeting statements. In case the Taoiseach thought I was mocking him, ag magadh faoi, I compliment him on his efforts and travails all over the world and in Europe over six months and on the self-belief and what he achieved during the Presidency. I compliment him on being gracious most of the time, except when he took the liberty to undermine the Committee of Public Accounts and its Chairman, Deputy John McGuinness, while he was in Rome. It was a serious misjudgment. Perhaps he got carried away by spin doctors encouraging him that Deputy McGuinness was vulnerable and could be ousted.

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I supported the holding of the G8 summit in Fermanagh and the supporting legislation passed by the Minister for Justice and Equality, Deputy Shatter. I disassociate myself from remarks made by Deputy Clare Daly last week. We can have problems but we cannot have something happen to the leaders while they were here. The exposure Dublin and Wicklow got was fabulous, as was the visit of Mrs. Obama and her children to Dublin. My daughter, as a Foróige delegate, was privileged to attend the Gaiety Theatre for the Riverdance performance. Deputy Clare Daly does not have to look at Bono as a tax exile; she can look much closer to see tax cheats. Her comments were hollow and her wording was despicable. I have no truck with it and I do not support it.

Since the Council last met, it has been confirmed that over 27 million Europeans are unemployed. Growth projections in key economies, the eurozone and the European Union as a whole have been cut. The EU budget is already inadequate for what is required and has been delayed. The holding of these pre-Council debates is often held up as a shining reform and an increase in accountability but the reality is that there is no accountability because we are continually getting the Taoiseach's statement on how everything is great and important things are being decided. I wished the Taoiseach well but he is self-deluding and thinks he is punching above his station. He is getting quite carried away. That is why I said I would welcome him back to reality next week. Perhaps he will deal with the issues of misery and trauma that Irish people are dealing with.

Apparently, tackling unacceptably high rates of youth unemployment is a top priority for the European Union, yet it is incapable of getting it right. We often hear the best youth employment results are seen in EU countries where young people have the chance to get to take part in high quality traineeships and where well established apprenticeship schemes form an integral part of the training and work placement system, none more so than our own. The figures are being manicured because if emigration was not taken into account the figures would be appalling. The EU Commissioner for Employment, Social Affairs and Inclusion has commented on this:

The euro crisis has brought a double-dip recession with devastating social effects, particularly for 'peripheral' countries and the young generation. But our latest analysis confirms the advantages of apprenticeships and traineeships in terms of helping young people to get a quality job. This underlines the urgency for all Member States to make the Youth Guarantee a reality before the end of 2013.

We also heard calls on all tiers of Government to improve career services and employment agencies. The European Commission has proposed setting minimum quality standards for apprenticeships at European level to ensure skills acquired can be recognised throughout Europe. What has the Government done about this? Precious little. *Tús maith, leath na hoibre* was the old Irish phrase. At the start of the six months, we had noble words and aspirations about stability, jobs and growth. We have seen none of these. We saw weakness and talk and wasteful meetings that achieved nothing.

Last week the Tánaiste declared, in the kind of spin that he has become good at since he crossed the Chamber, that he had the financial situation sorted out. MEPs from many countries and other agencies in the European Union pointed out there was no substance to his claim. The only inroads to the unemployment crisis is the number of spin doctors and advisers that the Government has hired. They should disengage them and have some honesty, soul-searching and truth and we might get somewhere. That was a real humiliation and a new low in the dying days of our Presidency.

With regards the reform of the CAP, the Minister for Agriculture, Food and the Marine, Deputy Coveney, must deal practically and pragmatically. We must have balance and we cannot have the likes of Cement-Roadstone Holdings, airport authorities and other conglomerates getting large single farm payments. It weakens his chairmanship of the issue by allowing this to continue. We must have sharing and the ordinary small farmers, who are suffering and struggling, must be supported. Farming organisations and the IFA will not thank me for this but we cannot stand over massive payments and unfair penalising of smaller farmers because of a calendar date. We want to get all small farmers productive and keep them productive. We should make sure that we get the best use out of our land and family farms and we must encourage inactive farmers to become active. If we blindfold them and tie their hands behind their backs, they cannot do so.

We have failed unilaterally in the banking problem. There is abject failure on behalf of the Taoiseach, and none more so than in the case of the tapes leaked in the dying days of his Presidency. I wonder why they were released and I wonder whether it has anything to do with the Bill going through the Dáil as a smokescreen. Today, the Taoiseach admitted the Garda Síochána has had the tapes for four years but he cannot inform the House whether the Minister for Justice and Equality has heard the tapes. If not, he should have.

Having been forced by the European Union to bail out these banks, when the EU recklessly lent money here knowing that our banks were bust, we should have used the Presidency. The Taoiseach will not do so because he might upset someone if he stood up to the people over there and told them they must share some of the blame and take some of the responsibility.

**Deputy Stephen S. Donnelly:** I am sorry the Taoiseach had to leave because I intended to congratulate him on the EU Presidency which he and his Cabinet have held for the last six months. I was in Brussels recently where I spoke to MEPs and officials. They complimented the Irish officials on being very professional. They spoke in particular about the officials in the Department of Finance. I was delighted to hear it. Our officials have acquitted themselves very well and have certainly earned the professional respect of their counterparts in Europe. It was great to hear that.

The Minister for Agriculture, Food and the Marine, Deputy Simon Coveney, has done an excellent job. I am sorry the Common Agricultural Policy, CAP, has not been wrapped up, but the reforms in the fisheries policy are fantastic. He has acquitted himself very well, including when we were dealing with various crises in Ireland such as the fodder crisis.

The Minister for Finance, Deputy Michael Noonan, has done a good job. He has progressed well the talks on the European Stability Mechanism and the bank resolution mechanism. As we know, it was never going to be possible for the Minister to get concrete agreements before the German election. It appears everything is in stasis. The Minister has done a very good job within the constraints he has had to deal with.

The Minister for Jobs, Enterprise and Innovation, Deputy Richard Bruton, should also be congratulated. He has led the opening of incredibly important trade talks with the US. Hopefully, there will be an EU-US free trade zone, which will be worth billions of euro and dollars on both sides of the pond and will lead to serious job creation.

The Taoiseach and his team have acquitted themselves very well. They should be very proud of themselves in holding the Presidency at a very difficult time for Ireland and Europe.

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The three issues under discussion for the last Council meeting in which Ireland will hold the Presidency are conclusion of the European Semester, evaluation of efforts to boost competitiveness, jobs and growth and progression on Economic and Monetary Union, specifically relating to the banks. I will talk a little about the bank resolution mechanism. The Minister for Finance, Deputy Michael Noonan, appeared before the finance committee recently to discuss the steps he is taking. I support what he is doing and hope he can progress it well. My understanding is that a new bail-in system will be introduced, whereby shareholder capital would be used first, followed by junior and unsecured creditors and then senior creditors or senior bondholders and depositors. If memory serves, the Minister is keen to separate depositors and senior creditors. I wish him all the best in that.

In Europe at present and possibly beyond Europe depositors and senior creditors legally rank equally if any type of bail-in is required. I do not agree with that. It is right, proper and healthy that a clear legal distinction is drawn within the eurozone, and ideally across the European Union, whereby professional investors are seen for what they are, professional risk takers, and depositors, particularly small depositors, are seen for what they are, which is people who are trying to put their money in a safe place. The Minister, Deputy Michael Noonan, is trying to differentiate between the two and I wish him the best in that.

I would add a caveat, which I believe the Taoiseach, Tánaiste and the Minister should pursue. There is a potential danger regarding the stipulation that the first group of people to take a hit in a bail-in should be the shareholders. We are still the shareholder in some of our banks and there should be a caveat introduced which recognises that. In the normal course of events and in a steady state banking system shareholder capital should go first, and I agree with that. However, in the case of AIB, the bit of Bank of Ireland we own and Permanent TSB we as the shareholders have already put in a vast amount of money. If the quality asset test to be carried out by the ECB in the new year shows that these banks need more capital, it should not have to come yet again from the Irish citizens because they are essentially the shareholders of these banks.

I wish to address the Anglo Irish Bank tapes which have come to light. They dominated Leaders' Questions, and we are all listening to them constantly and getting very angry about them. This is relevant to the discussion that is taking place in Europe about Ireland and potential recapitalisation. Germany and other creditor countries could look at this and think that this increases the case for Ireland not getting any recapitalisation from them, because Ireland could not even take care of its banks and allowed the banks to deceive and entrap it. I do not agree with that position. I believe and hope that another very strong message can go out to our European colleagues, which is that the Irish citizens took the hit for the entire European financial system. Had we not committed a huge bail-in to keep these banks open, there was a risk there would be contagion. I am not convinced there would have been contagion but certainly the ECB and many other people believed there would be; therefore, we took the hit.

We now have the smoking gun. We have proof that not only did Anglo Irish Bank deceive the Government of the day, it also engaged in entrapment. It did not just decide to ask for €7 billion and hope that it would be enough and that it could trade its way out of the problem. It decided to ask for €7 billion knowing a great deal more would be required, because once the Central Bank gave €7 billion, it would have to continue to give it money. I hope that message strengthens our case for both future and retrospective recapitalisation. Indeed, the Government bonds which replaced the promissory notes should be examined. Is there now a case to say that although we have turned them into sovereign debt, there possibly was a criminal act involved in

this case - certainly there was entrapment and deception - and that there is a case for a negotiation with the ECB whereby it will not call on all of these tens of billions of euro in sovereign debt?

I will conclude by asking the Government to take a further message to Europe for this last meeting. There is, quite correctly, a focus on job creation. The economic evidence shows that the single biggest stimulant of job creation is deleveraging of household debt. Economic analysis shows that it is only when one deleverages household debt that the business sector begins to invest, which is what ultimately creates jobs. The Taoiseach, the Minister for Finance, Deputy Michael Noonan, and the team should take that message to Europe and tell European leaders that if they are serious about job creation and helping the youth, they must find ways to deleverage household debt. I will be introducing a product, which I will submit to the Taoiseach and the Minister, Deputy Noonan, shortly. It is a debt for equity product which I hope will help the situation in Ireland and, potentially, further afield in Europe.

**Minister of State at the Department of Finance (Deputy Brian Hayes):** I thank colleagues for their contributions to this debate in advance of the important Council meeting later this week. I will take up Deputy Stephen Donnelly's very generous remarks, particularly about the officials who represent this country not just at the permanent representation in Brussels but also the officials across the Departments. They have worked tirelessly over the last six months in co-operation with colleagues in Government on a number of these files to get them over the line. The reaction the Deputy got from people in the European Parliament is the reaction I constantly get. This is our seventh Presidency and we have built up a great deal of experience. The real unsung heroes and heroines in this are the Irish public sector officials, particularly those who have been dealing in such a clear way with all of the work. We owe them a great debt of gratitude. I say that on behalf of the Government.

On the second issue Deputy Stephen Donnelly raised, we will attend an ECOFIN meeting again tomorrow evening at which we will hopefully obtain agreement on the bank recovery and resolution area, which is the second pillar of banking union. A clear responsibility has been given to us by the political leaders of Europe to resolve the outstanding difficulties on banking union. The Deputy is correct to say that the way in which the bailouts were constructed, particularly in this country, was a disaster. There is an understanding across the European system about the scale of the burden that was placed on Irish taxpayers as a result of that disastrous policy. We are trying to unwind that and work it through. The fact that the Minister for Finance, Deputy Michael Noonan, obtained a recognition in the eurozone statement of last Wednesday that the ESM could provide the opportunity for retrospective recapitalisation of the banks was important, but there are outstanding issues on the banking union side that must be agreed tomorrow evening. The first of the two issues is the hierarchy of the bail-ins. There was a sacrosanct agreement that no depositor with a deposit up to €100,000 would be touched. Clearly, the difficulties that obtained in Cyprus in terms of the construction of the deal were such that it was not positive; that is the most diplomatic way of saying it. Second, it was agreed that unsecured creditors would take a hit, followed by those associated with subordinated or junior debt who, in turn, were to be followed by senior bondholders. The ultimate question is the extent of the bail-in and the nature of the hierarchy.

There is a wide variety of views among the 27 member states. In the past two decades many member states, including Sweden, have gone through what I have described. The scale of the bail-in was different from one country to the next. The fundamental issue is the flexibility afforded by the non-eurozone countries as opposed to those in the eurozone. If the ESM is too

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flexible, it will not have the durability and power it should have. If it is not flexible enough, we will not obtain the agreement of the 27 member states. It is in the middle of all this that we are trying to construct an agreement with colleagues which, as I said, we hope to conclude tomorrow evening. It will be difficult, but we should not pretend otherwise.

If we are to obtain the confidence of the markets and citizens, the banking union system should be robust, strong and able to meet the kinds of challenges that presented some years ago. That is obviously a crucial issue in the last week of the Irish Presidency and one on which we will continue to work.

The youth unemployment problem was referred to, as was the youth compact, which is such a fundamental part of the MMF negotiations. Some of the remarks made on what was just a political attack on the Tánaiste for his work in the MMF negotiations were badly thought out. More than anyone, the Tánaiste has been attempting to marry the concerns of the Parliament and the Council in trying to obtain some agreement on what will be a crucial area of investment for the European Union in the next seven years. We need to reach agreement on this issue. European citizens who recognise the importance of the European Union's budget also agree that we should reach agreement. That is what the Tánaiste is attempting to do, not just on our behalf but on behalf of the entire European system.

Finance is the key; I do not disagree at all with this, which is why we are examining new means of non-bank funding and the opportunities of the European Investment Bank, particularly as it would ease the funding strain on SMEs. It is worth highlighting, as the Taoiseach did, that over €650 million in investment by the European Investment Bank is available to this country this year if we can get the projects and private sector capital in place. I had an opportunity to meet the president of the bank, Mr. Hoyer, in Luxembourg last week. He is more than aware of the challenges we face in Ireland. The European Investment Bank wants to help Ireland and make funding available in order that we can provoke public sector infrastructural capital projects again. It is worth saying that we now have PPPs across the line is a significant step because it means people are again prepared to invest in Ireland.

All of these matters will be very important, right up to the last moment of our Presidency. The positive remarks in this House on what we are trying to achieve are greatly appreciated.

### **Estimates for Public Services 2013: Message from Select Sub-Committee**

**Acting Chairman (Deputy Ann Phelan):** The Select sub-Committee on Transport, Tourism and Sport has completed its consideration of the following Revised Estimate for public services for the service of the year ending 31 December 2013: Vote 31 - Transport, Tourism and Sport.

*Dáil Éireann*  
**Topical Issue Debate**

**Jobseeker's Allowance Payments**

**Deputy Paschal Donohoe:** I thank the Minister for Transport, Tourism and Sport for taking this matter. The Minister for Social Protection, Deputy Joan Burton, is in the Seanad dealing with a Bill on social protection.

The issue I wish to raise is the effect on the disposable income of some individuals of the reclassification of Sunday in calculating jobseeker's benefit or jobseeker's allowance. A person used to be entitled to claim either jobseeker's benefit or jobseeker's allowance where he or she had not been working for at least four days in seven consecutive days. As a result of a change made in the last budget, we now include Sunday as one of those days in working out how many days an individual has been working and, consequently, the jobseeker's payment to which one is entitled.

Although I fully understand the principle behind the method of calculation, the object of which is to ensure every working day is regarded as equal, I must bring to the Minister's attention a matter raised with me by a constituent. The constituent is working in the service industry for three days each week - Saturday, Sunday and Monday. Owing to the reclassification of Sunday, however, the individual has been hurt very severely. As a consequence, the payment available to the individual has been reduced considerably, from €80 to €26, representing a drop of €54. The change is such that the available social welfare income, in addition to the income from the work done, has decreased substantially.

I am raising this matter because, although I believe every individual is different in terms of income, working days and social welfare payments that may be accessed, the change is too severe if an individual must incur a drop in social welfare of nearly 60%. I ask that we revisit this issue. As the economy and jobs market begin to recover, many new jobs being created will involve part-time employment. For some, a change such as the one in question will reduce the financial incentive to work. I ask that the Minister take this on board. The decrease in income from €80 to €26 is very severe and I would appreciate the Minister's response thereon.

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I am taking this matter on behalf of the Minister for Social Protection, Deputy Joan Burton, who is unavailable.

The jobseeker's benefit and jobseeker's allowance schemes provide income support for people who have lost work and are unable to find alternative employment. It is a fundamental qualifying condition for these schemes that a person must be available for full-time work. Under the previous provisions, a person could, in general, qualify for a jobseeker's payment where he or she was unemployed for at least three days in any period of six consecutive days. However, Sundays were not counted for this purpose. This meant that where a person worked on a Sunday, this day was neither treated as a day of employment nor a day of unemployment for the qualification process. The changes introduced following budget 2012 and implemented on 20 February 2013 for jobseeker's allowance and 21 February 2013 for jobseeker's benefit bring the schemes into better alignment with the current operation of the labour market by counting Sundays in the determination of entitlement. Following these changes, a person is entitled to jobseeker's benefit or jobseeker's allowance where he or she is fully unemployed for at least

four days in any period of seven consecutive days, inclusive of Sunday. Sunday work has become more usual, as demonstrated by the 2012 returns from social welfare local offices which show that some 18% of casual workers work Sunday in any given week. As a consequence of the increasing incidence of Sunday working and given that Sunday work is frequently paid at premium rates, the exclusion or disregard of Sunday employment created significant anomalies in the jobseekers' schemes which have now been addressed: a person who was employed only on Sunday received the same unemployment payment as a fully unemployed person; a person working four days per week, including Sunday, qualified for payment, whereas a person working four days, excluding Sunday, did not; and in the case of jobseeker's allowance, the income from Sunday employment was included when assessing a person's average weekly means. However, as Sunday employment was ignored when calculating the weekly allowance payment, Sunday earnings were effectively disregarded on a week-to-week basis.

The change impacts on jobseeker customers where Sunday is either one of the days worked or the only day worked. Customers who work on a Sunday lose one day of payment in jobseeker's benefit or, in the case of jobseeker's allowance, they have means in respect of the day's employment deducted from their weekly payment. The measure has no effect where Sunday is not worked. The change simplifies the jobseekers' schemes, increases the fairness of the schemes and makes them more relevant to the modern labour market.

**Deputy Paschal Donohoe:** The Minister stated: "or in the case of jobseeker's allowance, they have means in respect of the day's employment deducted from their weekly payment". This is the core of the issue I have raised. The magnitude of change for my constituent and many people like him across the country is a reduction of almost three quarters in their payment. Given the income for working three days a week in the first place is not high, such a change has a significant effect on the person's ability to live and to be in work or to gain something back from being in work. Will the Minister ensure the Department of Social Protection is aware of the magnitude of that change for somebody on a low income in the private sector and ask that it be reviewed? Will he also ensure that in future changes, more attention is given to people on low incomes from part-time work and the interaction between that low income and their social welfare payment?

**Deputy Leo Varadkar:** I understand where the Deputy is coming from. There used to be an anomaly where Sunday was not counted as a working day and no matter how much one earned on the day, it was not assessed in the means test. The Minister for Social Protection has corrected that anomaly and the effect is that those who were beneficiaries of it in the past and who worked it into their weekly spending had their payment suddenly reduced and no transitional arrangement was put in place. However, that does not mean it was wrong to correct the anomaly. I will make the Minister aware of the issue the Deputy has raised. I will see her later in the week and I will make sure she has a transcript of this debate.

## Marine Safety

**Deputy Martin Ferris:** Everybody will be aware of the recent tragedy off the coast of Tramore where the three Bolger brothers lost their lives while fishing. This follows the sinking of the *Tit Bonhomme* in Glandore Harbour early last year and the loss of the *Pere Charles* and two other boats in the same area with no bodies recovered. This issue was raised by the Irish Fishermen's Organisation at a recent meeting and by Kathleen Hayes whose husband, Michael

Hayes, was lost in Glandore along with four others. It was suggested at the meeting that a beacon should be worn on the wrist or on a belt around the waist, which would send a signal to a satellite similar to the beacon that sends a signal when a boat sinks. This would be of great benefit in locating and recovering the bodies of those lost at sea. I understand the Minister is considering something along these lines. It should be implemented as quickly as possible.

**Deputy Dessie Ellis:** On 12 June, the bodies of brothers, Shane, Kenny and Paul Bolger, were recovered from the water near Tramore. These experienced fishermen were well known throughout the area and they were well liked. They lost their lives in the same way too many people have lost their lives in the past few years. Working at sea is not the safest job and it never will be. There will always be harsh weather conditions, which are unexpected, accidents, human error and tragedies but as with our roads, conditions can be made safer and the likelihood of loss of life can be lessened.

I am grateful to the Minister for Agriculture, Food and the Marine who replied to my question on this issue last week. His heartfelt response echoes what everyone in the House felt as the tragedy unfolded. My colleague, Senator David Cullinane, spoke to me about the palpable shock and grief in the Waterford area. We all want to do something to avoid these tragedies in future and I raise this issue to help make progress. The Marine Casualty Investigation Board, MCIB, annual report 2011 found that 40% of all deaths in a given year were among fishing crews. These workers deserve, like everyone else, the best standards to ensure they return home safely. The report clearly stated more must be done to reduce the number of these tragedies. One such measure would be the mandatory use of personal locator beacons. The board recommended this course of action.

Fishing is not the lucrative business it could be. Many working in the industry struggle hard to make a decent living. We should as much as possible avoid heaping the financial burden on these workers. Fishermen have in the past called for 100% grant aid for personal location beacons. This should be considered due to the obvious benefits of the beacons becoming commonplace. Fishing is an important industry, which we have supported in many ways. We should support fisheries workers to be safe. Measures such as this will not prevent a tragedy such as that which befell the Bolgers happening again but it will help to reduce the incidence of such tragedies, ease the suffering of those whose loved ones are lost at sea and aid quicker recovery.

**Deputy Leo Varadkar:** The safety of all fishing vessels, with the safety of merchant ships, passenger vessels and leisure craft, is the responsibility of my Department, chiefly through the work of the Marine Survey Office which oversees the survey and certification of vessels in accordance with the relevant international and domestic legislation. All fishing vessels, regardless of size, are required to carry a satellite emergency position-indicating radio beacon, EPIRB, appropriate to their size and the sea area in which they operate.

Fishing vessels over 24 m are surveyed in accordance with the provisions of the International Maritime Organisation's Torremolinos protocol, which was given effect in the European Union by Council Directive 97/70, as amended. Fishing vessels between 15m and 24 m are surveyed in accordance with the provisions of regulations introduced by my predecessor in 2007. These regulations, the Merchant Shipping (Safety of Fishing Vessels) (15-24 Metres) Regulations 2007 - SI 640 of 2007 - enhance the safety of fishing vessels and their crew in the 15 m to 24 m category. With regard to fishing vessels of less than 15 m, my Department published a code of practice for the design, construction, operation and equipment of small fishing vessels in 2004. The code sets minimum standards of safety for these smaller vessels to protect

all persons on board. The code is in accordance with best international practice and covers vessel design, construction, machinery, safety equipment and stability issues.

Prior to the introduction of the code, the Department undertook an extensive consultation process with fishing industry representatives and Bord Iascaigh Mhara, BIM. For any fishing vessel, the issue of a fishing licence by the Department of Agriculture, Food and the Marine is contingent on full compliance with the relevant regulatory requirements, be that regulation or code. Chapter 9 of the code for small fishing vessels outlines the requirements of the Fishing Vessel (Radio Installation) Regulations 1998, which require, at a minimum, the appropriate VHF radio installations and a satellite EPIRB. Larger fishing vessels, or those operating in more open waters, are required to carry additional items of radio equipment to ensure adequate means of emergency communication and to aid location of the vessel by emergency services, if required.

The MCIB has recommended that all fishing vessels carry automatically activated float free EPIRBs and the issue of personal locator beacons, PLBs, for crew members has been recommended for examination. PLBs are portable radio transmitters carried by each crew member which, when used correctly, aid the search and rescue emergency services in the detection and location of persons in distress. These devices transmit on a radio frequency and must be programmed with the specific Irish country code and registered with ComReg to ensure their effectiveness in an emergency. My Department has been working with both the Department of Agriculture, Food and the Marine and BIM on the legislative and financial supports for a series of maritime safety measures focused on the fishing community, including the mandatory use of automatically activated float free EPIRBs and PLBs. This has involved significant complex work, which is nearing completion.

**Deputy Martin Ferris:** I thank the Minister for his reply. I reiterate the importance of the use of personal beacons by all fishing crew. Where a vessel founders, an on-board device is activated immediately which gives its location and thus assists in the rescue effort. However, if a boat sinks and somebody is lost, the chances of recovering his or her remains are not good. In the south east, for example, the bodies of 11 people who went missing at sea in recent years have never been located. The use of personal locator beacons should be mandatory and grant-aided. The necessity of such cannot be stressed enough.

**Deputy Dessie Ellis:** Coastal communities have suffered more than most in recent years. We should follow the example of Iceland where, owing to the high safety standards employed, there are almost no fatalities at sea. In 2011, in this country there were 13 accidents involving vessels at sea. Six of these involved fishing vessels, three of which sank, resulting in five fatalities. Some 108 people died at sea between 2002 and 2011. Improved safety equipment, including personal location devices, would go a long way towards improving safety for citizens who make their living from the sea and for people participating in the maritime leisure industry. We need the equivalent of Gay Byrne, in his role in the Road Safety Authority, to act as champion for the fishing community. Perhaps the Minister for Agriculture, Food and the Marine, Deputy Simon Coveney, might assume that role.

**Deputy Leo Varadkar:** I share the Deputies' concerns about the shocking loss of life at sea in recent years. They mentioned the *Tit Bonhomme*, the *Pere Charles* and the recent tragic events off the coast of Waterford. The current position is not acceptable. I have reviewed all the reports of the Marine Casualty Investigation Board and they make for harrowing reading. Deputy Dessie Ellis mentioned Iceland which has a larger fishing fleet than Ireland but has lost

very few people, if any, in recent years.

I agree that the use of personal locator beacons would be useful, but the reality is that people usually die within minutes of entering the sea. As such, the usefulness of the beacons will be only in so far as they help us to locate people's remains. Our objective must be to prevent accidents in the first place, which has been the approach taken to road safety. The difficulty is that many in our maritime communities and others who use the sea do not have a culture of safety first and, moreover, compliance with the rules is not adequately enforced. In addition, there is a problem with a lack of respect for workers' rights. We have seen instances of workers, both from overseas and the State, not being trained, mustered or rested properly, batteries not being charged and other things that should not be happening. The bottom line is that we can pass any law we like, but if it is not enforced and we do not have a culture of zero tolerance in regard to non-compliance, we will continue to lose dozens of people at sea in the coming years.

### **Services for People with Disabilities**

**Deputy Billy Kelleher:** I welcome the Minister for Health, Deputy James Reilly. I appreciate his coming to the House to take this Topical Issue matter as I know he is also participating in a debate in the Seanad.

We on this side of the House are very concerned about the discovery that of the €3 million allocated for the provision of services for children with autism, only €300,000 has been drawn down, primarily in the north Dublin area. I note that the Minister is a GP in that area and has his own personal circumstances. I am not questioning the validity of the decision to allocate €300,000 for services in north Dublin, but I am asking why the remainder of the money was not allocated. That is incomprehensible and has left us with an unequal and unfair distribution of supports elsewhere in the country. The records show that a senior disability official expressed disappointment to colleagues in the Department of Health that the Minister was funding only the north Dublin elements of her proposal. Likewise, the Health Service Executive's assistant national director for disability services, Dr. Cate Hartigan, has described it as regrettable that the available funding could not be used to promote equity and consistency across the country by improving access to services for all children with autism.

The review of services ordered by the Minister in 2012, following his expression of concern about spending in the area, has not been completed. More than a year later, a spokesperson for his office would only indicate that it would be done in the near future. People have a right to services and supports based on need and equity and there must be a proportionate distribution of funding for that purpose throughout the country. The Minister is the political heavyweight in north County Dublin. In fact, he is the northside bruiser in the Government and what we are seeing is a continual bias towards the funding and provision of services in and around his political heartland. I have no difficulty in supporting the allocation to north Dublin, but there must be equity in the distribution of funding across all services. The €3 million that was committed for services for children with autism must be spent in the next three years for the benefit of the entire country and not withheld on the basis that the promised review is not yet complete.

**Deputy Caoimhghín Ó Caoláin:** Yesterday's report in *The Irish Times* raises many questions, including, yet again, a question regarding the Minister's decision-making capacity. Why is it, some 18 months after the welcome announcement in January 2012 of €3 million in additional, much needed funding for autism services, that we find that only 10% of that allocation

has been spent, all of it this year, with nothing at all utilised in the entirety of 2012? Why is it that of the €300,000 drawn down, only one facility has benefited? Is it a coincidence that this facility is in an area close to the Minister's political heartland? Why make an exception of this facility knowing, as he surely must and as I certainly do, of the cries of parents of children with autism right across the State who are struggling to secure their essential support needs? It is wholly unacceptable. Will the Minister indicate when he expects the independent review that he has commissioned to be published, if he will bring it to a close as quickly as possible and when the remaining funds will be allocated?

**Deputy Richard Boyd Barrett:** As the Minister knows, it is a struggle for the parents of children with autism to obtain the services and support they need, even more so in the current climate of cutbacks. As such, it is utterly inexplicable that he would make the welcome announcement of an additional €3 million for the provision of these services only for us now to discover, through a freedom of information request, that only 10% of that funding has been allocated, all of it to Beechpark Services in the Minister's constituency in north Dublin. Why was that area prioritised, while others, where there is just as much need, have been left to wait? There are 138 people awaiting services in north Dublin, while 241 are on the waiting list for services provided by Beechpark Services in south and west Dublin. Will the Minister explain the anomaly, whereby north Dublin, although undoubtedly in need of funding, was given priority in the provision of services over areas in the city? These questions have greater strength given the debacle over the issue of primary care centres in the Minister's constituency and how two were bumped up from an original list, which led to the resignation of the former Minister of State. The Minister has to answer the question of whether he is the Minister for Health or the Minister for north Dublin.

**Minister for Health (Deputy James Reilly):** First, to correct the record, Beechpark Services is not located in my constituency. I thank the Deputies for their concern and raising this matter. The HSE publication National Review of Autism Services: Past, Present and Way Forward and the Progressing Disability Services for Children and Young People project, known as the zero to eighteens programme, set out the policy context for the provision of autism services to children and young people. The objective of the zero to 18 programme is to achieve a national, unified approach to delivering disability health services so that there is a clear pathway to services for all children, regardless of where they live, what school they go to or the nature of their disability.

Disability health services for children, including those for autism, are organised very differently across the country because of the way in which they have been initiated and developed over many years. Some organisations provide services for a specific group of children who have a particular kind of disability, or they may only operate in one part of the country. This means that while there are excellent services for some children in an area, there may be little or none for others. The zero to eighteens programme aims to remedy this inequity in service provision. To address some of the inequity, I announced the allocation of €1 million in funding for autism and early intervention services in 2012. Beechpark is a regional, community-based HSE service which provides specialised clinical supports for children with a specific diagnosis of autistic spectrum disorder up to 18 years of age who attend designated special schools, outreach preschools and outreach classes in Dublin, Kildare and Wicklow. Based on a report prepared by the HSE, I approved €300,000 of this funding, which equates to five therapist posts, for Beechpark Services in Dublin, north of the Liffey, to address the pressing needs of its catchment area, with a particular emphasis on reducing waiting times.

It is important for Deputies to recognise the scale of the work that will be enabled by the investment. I have a list of 29 schools in which services for autism will now be put in place as a result of the new posts in Beechpark Services in north Dublin. Far from being in my constituency, as is being suggested, the vast bulk of them are not. They are schools in Donnycarney, Finglas, Castleknock, Glasnevin, Artane, Clonee, Swords, Fairview, Tyrellstown and many other places.

The report also proposed an allocation for Beechpark in the Dublin-mid-Leinster region which was to be rolled out in year two. I also established an independent review group in 2012 to look at the Beechpark model of services and how resources could be used in the best and most effective way in light of the HSE review of autism services and the reorganisation of services that is under way in line with the zero to eighteens programme. Further funding for Beechpark and other regions of the country is scheduled to be released after the outcome of this review. I understand the review is expected to be concluded shortly.

Following ongoing discussions on the best way forward for Beechpark autism services, the HSE has confirmed that the funding approved will be allocated to HSE Dublin North East in 2013 for Beechpark in order to address the waiting list for services in Dublin north east. This will provide, in the first instance, for the recruitment of the necessary five therapy staff. I am aware, however, that addressing the significant pressures in Dublin north east is only a starting point. The HSE has confirmed that the €300,000 is just a first step in 2013. The balance of funding for autism and early intervention services nationally will be made available. The allocation of these further resources must be considered in light of the findings of the independent review.

**Deputy Billy Kelleher:** I thank the Minister for his reply. The bottom line is that he decided to go off and announce that he was going to provide an additional €3 million in funding for autism services. He then decided to announce a review. One of his senior officials described the Minister's announcement in January 2012 as "news to me". Another said that it had come "out of the blue". When it was announced, his decision to carry out a review equally came out of the blue to many of the people providing services, including Dr. Cate Hartigan. Nobody denies that Dublin North deserves the resources and the allocation but what is critical is that priority was certainly given to the allocation north of the Liffey while services elsewhere are under huge stress and pressure. Children in any part of the country are entitled to equality and equity in accessing these services. Rather than carrying out reviews and stalling the process, the Minister should have ensured that the allocation that was made, granted and announced by him was supported and enhanced, as was the wish of Dr. Cate Hartigan and others, who felt this was particularly important for the development of services and equality throughout the country.

**Deputy Caoimhghín Ó Caoláin:** The Minister knows personally, at least as well as anybody else, that there is an identifiable need in this area that does not need to be highlighted by an independent review. The information is undoubtedly within the system, within the HSE and within the Minister's Department. There is no excusing the fact that he did not use any of the announced funding in 2012. He has used only €300,000 of it this year and, while another €1 million is signalled for 2014, there is now €1.7 million that could be spent on enhancing services for children with autism at different locations around the State. That need is beyond review. It is long established and is crying out to be addressed. How quickly will the Minister ensure that the essential money is released to those who will make the best use of it and deliver the best additional high quality services for children in all of these other locations, who most certainly are as deserving as the children of the greater north Dublin area for whom the Minister

has already provided?

**Deputy Richard Boyd Barrett:** I wish to make it absolutely clear that I am delighted that people on the north side of Dublin, whether from the Minister's constituency or other parts of north Dublin, are to receive extra services. What is not clear from the Minister's answer is why only a small portion of the money that he initially announced at the end of 2011 has been allocated and why the money that was allocated has been allocated first to north Dublin, the Minister's political heartland. Could he explain why that is the case? What are the criteria for selecting the areas to which money is allocated, and why has it not been allocated? On the face of it, according to the waiting list figures, there is as much demand and need in other parts of Dublin and other parts of the country as there was in north Dublin. Otherwise, inevitably, there lingers a suspicion of favouritism for particular areas.

**Deputy James Reilly:** I am interested in ensuring equity of access across the system and I look forward to getting the report I have mentioned in the shortest possible time - in the next few weeks, I hope. That will allow us to distribute the resources available to us as equitably as possible and as soon as possible. I have been asked specifically why I took the decision I took. I allude to the report that has been published on the Department's website and is there for all to see. The back page offers two options.

The overall allocation of €300,000 equates to approximately five whole-time equivalents. Option one was the deployment of the total resource to address the waiting lists either in Dublin north east or in the Dublin-mid-Leinster region, which would enable a more effective and speedy approach. This option could only operate equitably on the basis that if one region got the entire allocation in 2012, the remaining regions would get a similar allocation in 2013. Accordingly, in 2012, Dublin north east would receive €300,000, while in 2013, Dublin-mid-Leinster would receive €300,000. Option 2 was the division of the €300,000 in line with waiting list data as detailed above. The 138 children from Dublin north east on waiting lists constitute 36% of the overall waiting lists for Beechpark Services, which would come to €108,000. The remainder, €192,000, would go to the 241 children from Dublin-mid-Leinster.

In the context of the focus on pressures on Dublin north east and representations by schools and parents to the Department of Health, an allocation of €108,000 would provide for just short of two whole-time equivalent basic-grade clinicians to enhance the north-side team providing these services. While the additional resource would have a positive impact on tackling the waiting list, the speed of progress would be much greater if a full multidisciplinary team was approved. I followed the Health Service Executive's recommendations. Although Deputy Kelleher has name-checked an individual, this report comes from the HSE, not an individual.

**Deputy Billy Kelleher:** I was quoting from information provided in response to freedom of information requests.

### **Ambulance Service Response Times**

**Deputy Brendan Griffin:** I thank the Minister for attending the Chamber for this important matter. I am raising a matter arising from the recent death of a baby in Tralee. I express my sympathy to the family on their profound loss.

The HSE has confirmed that a 999 call was received in the early hours of 18 June from the

family of a three-and-a-half-week-old child who was having breathing difficulties and subsequently suffered a suspected cot death in Tralee. However, the ambulance was sent to The Tennis Village, Model Farm Road, Cork, rather than The Tennis Village, Tralee. The first emergency vehicle arrived at the scene in Tralee 30 minutes after the initial call, which the Minister will agree is not an acceptable timeframe in such instances. This timeframe would have been much smaller had the call been co-ordinated from a local ambulance centre, as was the case before May.

Reports on this case have seriously dented public confidence in the new centralised ambulance system. Yesterday, Kerry media carried a report about how on 9 June it had taken 75 minutes for an ambulance to take an elderly man having breathing difficulties to hospital after his daughter had called for it. Again, the ambulance was sent to the wrong address initially. It was meant to go to an address in Ballyvelly but was sent to Spa Road instead. My colleague, Deputy Jerry Buttimer, has raised similar incidents in Cork at the health committee.

The director of the National Ambulance Service, Mr. Robert Morton, has suggested that a postcode system would assist in despatching ambulances. If he believes this is important, why then was the national centralised system rolled out before a postcode system was established? This needs to be urgently reviewed because it is a matter of life and death and we cannot afford for it not to work.

**Deputy Arthur Spring:** I, too, thank the Minister for attending the Chamber to discuss this matter. The integrity of the ambulance despatch system has been undermined as a result of events in recent days in County Kerry. I have no aspiration to condemn the idea of a centralised despatch system, but the one we have is not working. In the recent awful and tragic death of a four-week-old baby in Tralee, it has been stated that even if an ambulance had arrived earlier, it would not have been able to prevent the child from dying. I understand there was a language barrier because the family involved did not have the capacity to speak fluent English and could not identify the area in which they were living to the ambulance service. However, Ballyvelly and Spa Road are very distinct areas in Tralee and for an ambulance to take 75 minutes to deliver a person to a hospital which is effectively over the road is a problem.

As the Minister will be aware, my father is a doctor. He has told me he has never come across anything like what is happening with the ambulance service. If a doctor rings for an ambulance, he or she must answer a list of questions to justify getting it. Could doctors be provided with an app similar to the Hailo taxi app in order that their name and location appears to the ambulance centre, meaning they do not have to answer the litany of questions that an average member of the public must go through?

The IP system for landline telephones means people's locations can be quickly identified. Similarly, GPS works for mobile phones. The Garda can identify the locality of a phone used to call its service. These existing systems should be applied to the ambulance service. The people of Kerry are not happy with these recent events and people's health is at stake.

**Deputy James Reilly:** I thank the Deputies for raising this issue.

A tragic event occurred in County Kerry last week which was widely reported. First, I extend the Government's deepest sympathy to the family of the child involved. The loss of a loved one is hard for family and friends at any time but the sudden and unexpected death of a young child is particularly difficult.

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At 1.16 a.m. on 18 June 2013, an emergency call was received about a baby who was reported as not breathing. The National Ambulance Service, NAS, was initially unable to obtain sufficient details of where the family was, which led to a delay in responding to the call. The first emergency resource arrived at the scene 30 minutes after the initial 999 call. The baby was subsequently pronounced dead.

The incident has been the subject of a systems analysis, as is routine in cases in which a death occurs, to ascertain whether call-taking protocols were followed. Following an examination of the facts, the HSE is satisfied that systems and processes operated correctly and there are no plans to carry out any further review. However, interrogation has been strengthened to mitigate the impact of a call in which the incident location cannot be identified. In addition, the HSE communications service has been requested to run a publicity campaign to improve public awareness of the need to communicate precisely the location of incidents.

In the interest of respecting the dignity and grief of the family, I wish to make no further comment on the specific incident. However, Ireland is now a multicultural society. An individual who has language issues and is emotionally traumatised at having found her baby dead can have great difficulty in communicating. I have heard what Deputy Arthur Spring said about GPS for physicians, and I will mention this in the second part of my answer. A significant reform programme has been under way to totally reconfigure the way the HSE manages and delivers pre-hospital care services to ensure a clinically driven, nationally co-ordinated system, supported by improved technology. The national control centre reconfiguration project which is endorsed by HIQA and represents international best practice will reduce the number of ambulance control centres to a single national control system, with significant investment in new voice, data and mapping technologies. The project is also a key element of Future Health: A Strategic Framework for Health Reform in Ireland 2012-2015.

Both HIQA and the National Ambulance Service had concerns over control and despatch structures at some control centres leading up to the development of the national control system. Accordingly, the National Ambulance Service moved the Cork and Tralee centres to its Townsend Street centre on an interim basis in May to mitigate such concerns pending completion of the national centre. Detailed preparations took place to ensure the safety of services during the move of the Cork and Kerry operations. The National Ambulance Service provided additional staff, training, technology and equipment to assist this process - 112/999 calls from these areas are now answered in Dublin using improved technology. The National Ambulance Service is satisfied that the Townsend Street centre, while not appropriate to the needs of the overall reconfiguration project, is nevertheless suitable and infrastructurally sound for the interim accommodation of these centres.

**Deputy Brendan Griffin:** I thank the Minister for his response, but I need to emphasise that this reform is not like the SUSI grants system or the medical card system in respect of which there have been teething problems. There can be no scope for teething problems in the change of this system. The consequences of a failure in the system are a matter of life or death. Therefore, it needs to work 100% correctly all of the time.

As a public representative, I am not 100% confident, as a result of the recent cases in Tralee, that the system is working properly. I live in a little place called Keel on the Dingle Peninsula. One will not find it on any map and if a person from Keel called for an ambulance, I would be concerned it might be sent to Achill Island in County Mayo. What is to prevent this from happening? The local knowledge in the local centres would have helped to prevent what happened

in Tralee recently. Perhaps as Deputy Arthur Spring suggested, we need to embrace technology more and explore that option.

If the director of the National Ambulance Service is saying the absence of postcodes is a problem, why was this change proceeded with and why was addressing the problem of postcodes not a prerequisite in making this change? I want to ensure that what happened in both cases in Tralee recently will never happen again to anybody else. We cannot afford for mistakes to be made in this crucial area.

**Deputy Arthur Spring:** The core issue is that the people of County Kerry are worried about whether the emergency services can provide them with an adequate ambulance service. From what we have seen in recent weeks, there is no evidence to suggest people's lives are not in jeopardy. We have a problem, but it is not one that cannot be solved; however, it needs the attention of Department of Health. There are technological issues, but there are also core values and principles that need to be adhered to.

It is unacceptable that there is a language barrier when so many foreigners have come to live here and that language may pose a problem when a person seeks help. Language is even more of a problem for people living in rural areas in that different placenames can be duplicated in different regions and provinces and an ambulance may be sent to the wrong county. This is unacceptable and it needs to be rectified. We need to hear a response on how it will be done. We will keep the Minister informed if there are further infringements and we may have to return to the old system. If he wants some of his people to deal with us at local level, we would be happy to meet them, but I also suggest technology needs to be advanced in his Department.

**Deputy James Reilly:** I thank the Deputies for raising this matter. Given the circumstances of what happened in the tragic case mentioned, I do not know if moving back to the old system would have addressed the problem. Both Deputies have made the point that we have a serious problem in terms of communication. Proper communication is essential in delivering any service. The centralisation of this service will allow for translation facilities to be put in place. I will aggressively pursue the issue of technology in terms of the use of GPS, given that most people have mobile phones. I am given to understand from early inquiries, however, that the technology is not at a level in the country to do this in a rapid way, which is very important. I accept that we should be looking to make such an investment to give the people the assurance they need that the service will be as efficient as possible and that we will remove, as much as possible, the room for human error, particularly when it comes to issue of communication. It is utterly understandable people are completely traumatised in situations where a loved one is in terrible danger and if there is also a language issue, that complicates the matter. I reiterate that we will certainly have this issue further interrogated and have a solution put in place to provide further reassurance. I again express my deepest sympathy to the family in question on their terrible loss.

30 January 2008

**An Bille um an Dara Leasú is Tríocha ar an mBunreacht (Deireadh a Chur le Seanad Éireann) 2013: An Dara Céim (Atógáil)**

**Thirty-second Amendment of the Constitution (Abolition of Seanad Éireann) Bill 2013: Second Stage (Resumed)**

Thairg an Taoiseach an tairiscint seo ar an Déardaoin, 13 Meitheamh 2013:

Go léifear an Bille an Dara hUair anois.

The following motion was moved by the Taoiseach on Thursday, 13 June 2013:

That the Bill be now read a Second Time.

Atógadh an díospóireacht ar leasú a 1:

Debate resumed on amendment No. 1:

To delete all words after “that” and substitute “Dáil Éireann declines to give the Bill a second reading on the basis that it seeks to abolish Seanad Éireann without affording the opportunity to reform Seanad Éireann as set out in the Seanad (No. 2) Bill 2013”.

- (Deputy Shane Ross).

**An Leas-Cheann Comhairle:** Deputies Thomas P. Broughan and Denis Naughten were sharing a speaking slot. I call Deputy Denis Naughten.

**Deputy Denis Naughten:** I welcome the opportunity to speak on this Bill. It gives us the opportunity to debate the relevance of the Upper House in this Parliament. It needs to be remembered that the abolition of the Seanad was a pre-election commitment given by the Fine Gael Party in advance of the general election. It is welcome that the legislation has been brought before us to allow the people to make a decision on it. It is a pity that the Government did not comply with all of the pre-election promises it made. As the Minister will be aware, a clear promise in regard to Roscommon County Hospital was given to the people of County Roscommon by the Taoiseach, the Tánaiste and the Minister for Health, who was happy to put it in writing, yet that promise was ignored very soon after the election. Another commitment was given in respect of Portiuncula hospital, also in writing, and since it was given the accident and emergency department in the hospital has lost the capacity to treat stroke patients. Some pre-election promises are sacrosanct, yet others seem to be slipping by the wayside.

The Government gave a commitment to abolish the Seanad and reduce the size of the Dáil, but it did not give a commitment before the general election to reduce the Cabinet to a group of four, as is the case. Instead of the abolishing the Seanad, it should be reformed. It needs to be radically reformed and have a smaller number of Members; it should be reformed rather than abolished.

The Government is proposing as an alternative to the Seanad the establishment of a new committee which is being described, in its own circles, as a mini-Seanad, with outside experts, an unelected body, an unaccountable arm of government. I cannot see where the reform is taking place when we are moving decisions further away from, rather than closer to, the people.

The Seanad should be reformed by directly electing its Members at the time of the European

Parliament elections, on the Euro constituency geographical split, using a list system and it should become a European chamber. Minister after Minister will come into this House and tell us that decisions are being taken at European level and that the European Union is forcing us to do A, B and C, but the reality is that Ministers or their predecessors on the Council of Ministers have signed up to proposals and from now on the Oireachtas will have the opportunity to question them, but it has ignored them. The difficulty is that the vast majority of European legislation is rubber-stamped through the committee system. We should scrutinise effectively European proposals and the Seanad should become the tool to do this. We should also utilise the red and yellow card system that we have been given through the reforms introduced under the Lisbon treaty.

The Seanad should not only scrutinise legislation. Why should it not scrutinise the German budget in the same way as the German Bundestag scrutinised our budget before we, as Members of Parliament, representatives of the people, had the opportunity to scrutinise our own proposals to at least bring some balance to the equation? The Irish Members of the European Parliament who are directly elected should also be *ex officio* members of the Seanad to provide for their input.

It is frustrating to hear the Government speak about reform. Live horse and get grass is its policy on Dáil reform. We have longer sittings, but there is less accountability now than was the case in the past. It is ironic that the Protection of Life During Pregnancy Bill 2013 which we will debate later this week provides a conscientious objection clause for the people tasked with implementing it, whereas Government and Sinn Féin Members who may have a conscientious objection to the legislation will be expelled from their parliamentary parties if they act on their conscience. I cannot see how this represents reform and provides for greater accountability. People should have an opportunity to articulate their concerns as the representatives of the people.

We are going backwards in some areas in reforming this House. The Topical Issue debate was introduced with the purpose of making the Dáil more accountable, whereby Ministers with direct responsibility for the issues raised would come into the Chamber to address them. I commend the Minister for Health, Deputy James Reilly, on responding in person to an important issue raised today pertaining to the ambulance service. Two weeks ago I raised a Topical Issue matter pertaining to a young woman who had died in the acute psychiatric unit in Roscommon County Hospital. Three serious assaults had occurred in that unit and gardaí had been called to it on numerous occasions. The family of a suicidal man had to contact the Garda to seek an emergency admission to Galway hospital because he had been refused admission to the acute unit in Roscommon. On five occasions in the previous three weeks, I had tabled parliamentary questions and raised Topical Issue matters on the same subject. There are three Ministers in the Department of Health, but none of them could respond in person to this extremely important issue. The Minister of State with responsibility for this area, Deputy Kathleen Lynch, happened to be away, but her colleagues in the Department could not be found. I do not see how that could be described as greater accountability. I tabled a parliamentary question on home help services on 25 October 2012 and the Minister responsible referred it to the HSE for direct reply. When I raised the same question on 23 January this year, the Department refused to issue a response and I am still waiting for a formal reply from the Ceann Comhairle's office as to when I will receive a response to my question. Members' rights are being continually eroded.

If the Government was serious about reform, it would provide for reform of the Dáil in advance of the Seanad referendum to let the public see whether its reforms are effective in

making it accountable. People could decide the future of the Seanad on foot of these reforms. However, we are instead being told that we should vote in the referendum before seeing the long promised reform of this House. Reform has been promised for many decades but little, if anything, has happened. All we have seen is a diminution of the power and authority of Deputies to question the Government, which is hugely disappointing.

I look forward to the debate that will take place in the coming months on the reform or abolition of the Seanad. The electorate will have an opportunity on polling day to decide once and for all whether to keep a genuinely reformed Seanad or to abolish it. We have a golden opportunity to use the Seanad to debate issues such as European legislation that is rubber-stamped in this House and committees. We should use the tools we have been given through the Lisbon treaty reform process to give the Seanad powers to scrutinise the budgets of other European parliaments. If the Bundestag is allowed to scrutinise our budgets, we should allow the Seanad to scrutinise the budget of the German Government.

**Deputy Jim Daly:** If I had a euro for every time the word “reform” was mentioned in this House in the past ten days I would be able to repay the national debt. The time for reform has passed and we have to be radical or redundant in this debate. I commend the Government on showing leadership in putting this question to the people. The only way we can bring about reform is by forcing it. I do not hold any great opinion for or against the Seanad, but we have to be radical and by abolishing the Seanad, we will force this House to reform. One of the results will be a strengthened committee system that can scrutinise legislation. It is suggested we need layers of politicians for this task, but I do not think that is the way to make progress. The 158 politicians left in this House will be more than sufficient to engage in all of the scrutiny required in a country of this size.

I was recently in Ballydehob in west Cork where I visited a get-up-and-go and innovative enterprise, the Wilson family’s ceramics heating company. This company is run by extraordinary individuals, but they are frustrated with the Government and by politicians because they believe we could be doing much more. Among the issues they raised were energy costs and refocusing on manufacturing. As we were debating these issues, I suggested one simple step they could take to assist us in our reform efforts was supporting us in the referendum on abolishing the Seanad. Whoever may be in this House after the next election, they can make more progress by having fewer politicians. I ask those who fight for and hide behind democracy why they are terrified of democracy. Real democracy involves putting this question to the people to allow them to decide. Perhaps they should have more say in matters because that is the essence of democracy.

The greatest threat to reform is the practice of playing to the gallery. It has been suggested the number of Dáil sitting days should be increased. That is a notion to which I object strenuously. I do not accept there is a need for longer sitting days. It is a disingenuous suggestion. We have the ability to do more with less and it is nonsense to say we should be here for four or five days a week. That poses the greatest threat to real democracy because it takes us away from our constituents and does not allow us to interact with them. It would create a cocoon in which we would be completely isolated from the public. That is a threat to democracy. I would not like to see this proposal progressing beyond the talk stage, although I am sure that, like many other proposals made in this House, talking is as far as it will go.

A number of speakers have referred to the straw man argument in respect of the use of the guillotine. Everything that needs to be said has been said on many issues since I was elected.

The only difficulty is that not everybody has said it. I do not think it important for democracy that everybody should say the same repetitive line time and again.

I believe the Seanad should be abolished. The countries that have joined the European Union in recent years have a new found democracy. My wife is from Estonia and I have studied that country's political system. Estonia was in the hands of a dictatorship for many years, but it did not see the need to establish a second House of Parliament to demonstrate its democratic credentials. Estonia is happy with one House because it regards itself as a true democracy. Only two countries with similar populations, Ireland and Slovenia, have a second chamber. It is an unnecessary burden because it doubles the amount of work and hinders the progress of Parliament by doing everything twice. I support the Bill and will be playing my part to campaign in the name of progress for the abolition of the Seanad.

Cuireadh an díospóireacht ar athló.

Debate adjourned.

### **Special Educational Needs: Motion [Private Members]**

**Deputy Charlie McConalogue:** I move:

That Dáil Éireann:

condemns:

— the deplorable announcement of cuts in special needs assistant supports and resource teacher hours for pupils with special educational needs; and

— the 12% cut in teaching time for special needs children to be implemented for the 2013-14 school year;

notes that:

— this reduction comes on top of a reduction of 5% in 2012 and 10% in 2011; and

— the reductions will mean that students will now get 25% fewer resource teacher hours than they would have received two years ago;

agrees that:

— such reductions are in direct contradiction to the Government's approach of matching the expected increase in pupil numbers in mainstream classes this September with new teachers through the hiring of 450 additional mainstream teachers at primary and secondary level in order to maintain the standard pupil-teacher ratio;

— such reductions will have a severe impact on children with special needs;

— such cuts will also have an adverse impact on all children right across the mainstream school system;

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— the cuts are also causing deep alarm and distress to the parents and teachers of these children;

— it is unfair and unreasonable to impose such cuts on children with the greatest need in the education system;

— the cuts undermine the principle of inclusive schools;

— the cuts weaken mainstreaming for children with disabilities and reinforce segregation; and

— the decision will negatively affect the national literacy and numeracy strategy; and

calls on the Government to:

— give students with special educational needs fair treatment by increasing the number of resource teachers and special needs assistants to match the expected increase in special needs students this September in the same way that the Department is increasing the number of mainstream teachers to meet demand;

— lift the cap on teaching resources to ensure every child eligible for resource teaching hours receives, at a minimum, the same allocation of hours as they were allocated in the current academic year;

— lift the cap on special needs assistants to ensure every special needs child with a need for a special needs assistant has a level of care appropriate to his/her needs;

— set a timeframe for the full implementation of the Education for Persons with Special Educational Needs Act 2004;

— provide a proper and coordinated framework for the inclusion of all pupils in suitable education settings;

— affirm its commitment to inclusive education to enable all children to achieve their potential; and

— reverse the unjustified cuts announced by the Department of Education and Skills and the National Council for Special Education.

I wish to share time with Deputies Michael Moynihan, Éamon Ó Cuív, John Browne and Barry Cowen.

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

**Deputy Charlie McConalogue:** I welcome the Minister for the Environment, Community and Local Government, Deputy Phil Hogan. I hope the Minister for Education and Skills, Deputy Ruairí Quinn, will be present for this important debate on an issue that needs to be resolved by the Government.

The motion I have moved calls on the Government to take two specific actions. First, it calls on the Government to reverse its decision not to hire the additional resource teachers who will be required in September in order that special needs students do not have to endure a 12% cut

in their teaching hours. Second, it calls for the reversal of the Government's decision not to hire the additional special needs assistants who are necessary to ensure students who require special needs help to participate in school do not see an average cut of 10% in the hours available to them in September.

I welcome the Minister's announcement today that he will reverse his decision on the employment of resource teachers, which is the first action the motion requires of him. He has decided to hire immediately the additional 500 teachers who were being held back to cater for additional demand in the autumn. As a result, students will not see a cut this September in the resource teaching hours they received in the school year that has just ended. The Minister has made the correct decision in this instance. There should be a recognition that the approach being taken by the Minister and the Government was not acceptable. It was totally unfair to the 42,500 students across the country who need additional teaching support hours to reach their potential and to be able to avail of the only chance they will get in life to receive a proper education. It is crucial now for the Government to reverse its decision to oversee a 10% cut in the special needs assistance hours which will be available to high need students who qualify for and depend on the help of special needs assistants to help them during the school day. The Government is refusing to acknowledge that any cut is being made to the hours to which individual students will have access. In this instance, it is sticking to its defence which is based on the pretence it abandoned today when it agreed to increase the number of resource teachers it will hire.

Last Thursday, when I put it to the Tánaiste in this House that students would see a cut in their resource teaching hours and their special needs assistance hours from this September, he responded by saying, "There is no cut". The Minister has finally admitted today that there is a cut and agreed to address it by supplying the 500 teachers needed to ensure students who need resource hours will not have to experience the 12% cut due to be made from September. When the Minister made this announcement earlier today, he expressed regret that parents had gone through "anguish". He said he had listened to and heard them. What about the parents of students who avail of special needs assistance? Are they not experiencing anguish at the prospect of their children's special needs hours being cut? They still have to listen to the Minister and his Government colleagues saying, "There is no cut". It is time for the Minister to apply the same treatment to special needs assistance hours that he has applied today to resource teaching hours. He needs to ensure additional provision is made to match the increase in demand.

In last year's budget the Minister increased the number of mainstream teachers who will be available this September on foot of an increase in demand. As a consequence of the education system's increased intake, some 450 additional teachers will be employed at primary level and 450 teachers will be employed at secondary level. While that is very welcome and we support it, the Minister has not applied the same logic by providing additional teachers to meet demands elsewhere in the system. Additional resource teachers are needed for students who have special teaching requirements and additional special needs assistants are needed for students who have special educational needs. The same logic should apply in these cases. The Minister decided today to increase the number of resource teachers. We are asking for the same rationale to be applied and the same treatment to be given to special needs assistants. According to a press release issued by the Department of Education and Skills a couple of hours ago, there is no decrease in the number of special needs assistant hours. The statement also indicates there has been no increase in the number of applications.

The reality is that in the first week of term this September some 22,000 students will need to avail of special needs assistance in order to participate fully in school life. The equivalent

figure was 20,000 in the school year just ended. Even though there has been a 10% increase in the number of students who qualify for special needs assistance, the Minister has not increased the number of special needs assistants he plans to hire. That means that there will be the same number of special needs assistants in schools as last year, by and large, even though the number of students looking to avail of their services will have increased by 10%. According to the National Council for Special Education - I am sure the Minister will make this point - the number of special needs assistants will not change in approximately half of all schools. The council has outlined that the number of special needs assistants will increase in 24% or 25% of schools. That means that there will be a decrease in the number of special needs assistants in approximately 25% of schools.

It is clear, therefore, that 75% of all schools will have the same number of special needs assistants, or fewer such assistants, by comparison with the number in the school year just ended. This is happening at a time when demand has increased by 10%. The special needs assistants in these schools will have to spread themselves thinner and divide themselves among a large number of students. Many students who received a certain level of service from a special needs assistant last year will not be able to avail of the same service this September. Some students who had a dedicated special needs assistant because of their high levels of need will now have to share that assistant with another student. That means that the service and the resource will be stretched. That is the reality. Many students who need the services of special needs assistants will experience a cut in the service they receive. It is exactly the same principle as the one the Minister admitted today in the case of resource teaching hours. I ask him, as a starting point, to admit there is this pressure and this cut is being made. He should not continue with the pretence we have heard from him and his Government colleagues on the issue.

I would like the Minister to clarify a couple of other issues when he contributes to this debate. He has indicated that the 500 resource teachers he is planning to hire immediately will be held back until the autumn to cater for the increase in demand expected when late applications come in, as they always do. Last year, a similar number of resource teachers were held back until the autumn. They were allocated at that stage because there was the demand for them. Will the Minister ensure there will be additional teachers in the autumn? When the new applicants come in, as they always do, they should not be turned away. I ask the Minister to address the questions I have asked. The aim of the motion is, first, to welcome the recognition of the need for additional resource teachers and, second, to ask if the Minister will now give the same recognition to the need for additional special needs assistants.

**Deputy Michael Moynihan:** I welcome the opportunity to speak and compliment my colleague, Deputy Charlie McConalogue, on tabling the motion. Despite all the denials over the weekend that there was a cut and a reversal of services, we welcome the decision on a full reversal of what was announced last week.

As we move forward, there will still be a cut to the number of special needs assistants in the classrooms from September. From where I stand, I sense a lack of understanding by the Minister of what has been achieved by special needs assistants and resource teachers in classrooms in the past 14 or 15 years. When I first came into this House in 1997, special needs assistants were community employment workers and the Department later employed them. The benefits garnered for society and families in the way special needs have been met in classrooms during the years have been second to none.

There was a lack of understanding in the decision made last week to cut the number of

resource hours. It is the greatest wish of every parent with a child with special needs that he or she be integrated fully into the classroom and that the resources and supports be made available in order that he or she can benefit from mainstream education. Not everybody would be able for mainstream education, but there is always a hope and an expectation that children can be mainstreamed. The benefits children get from being in mainstream schools with the proper supports cannot be questioned, nor can the benefits to society as a whole.

During the years many projects have been developed such as the CABAS project in Cork city. I know children of friends who went there to avail of early intervention and came back into primary schools with the proper supports such as special needs assistants and resource teachers and they have gone on through the education system and come out the other end in a far better position than would have been possible without these supports. There has to be an acknowledgment by the Minister and the Department of the part played by these initiatives in the past 14 or 15 years. Any Government that would try to cut back on them, see it as possible to cut them or decide that they are beyond the requirements of a State-sponsored education system does not understand the benefits that have accrued from them.

Last weekend, parents and school authorities were very concerned about this issue. Parents of children who are one, two or three years into the system and who have had a diagnosis and are progressing extremely satisfactorily through the education system had to spend last weekend concerned about the future. Depending on the age of the children involved, these parents have in recent years made accommodations in their own lives in order to make sure the proper services are available for their children. I have some experience of dealing with the services that provide care for children with special needs from the cradle to the grave. Among the majority of parents I have met during the years, there is concern about how these children will develop into adulthood and how well they will be able to integrate into society.

Between 2004 and 2007 I chaired the education committee which prepared a report on special needs assistants and resource teaching hours. The point that continuously came from the parents, teachers and the education sector was that early intervention was the way forward and that the success of early intervention could not be overestimated. Last week's decision by the Minister and the Government showed a lack of appreciation of what had been achieved during the years. This is akin to the position on free education in that children who have need for a special resource have the same constitutional rights as anybody else. During the years there was much talk about the disability Bill and its funding, but there has been a lack of understanding of what has been achieved.

Before I came into the Dáil Chamber, a teacher telephoned me about her child who had special needs. She has fought the system on the issue of domiciliary care and experienced all of the difficulties that flow from this. One can criticise and throw anything one likes across the floor of the House at Fianna Fáil, but my party has done an immense amount of work in the past 15 or 16 years for people with disabilities and education services for people with special needs. People have benefited through the education system and come out the other end with the leaving certificate, something they would not have been able to do this 15 or 20 years ago. They have benefited enormously from the amount of money and resources put into this service.

I must again make the point that what was done last week showed absolutely no understanding of what had been achieved. More importantly, however, it showed no understanding of what it meant to children with special needs who needed these resource hours and to their parents. My biggest worry is that there is still a cut in regard to special needs assistants, yet

there is no answer on this issue from the Minister. Whatever decisions have to be made - we all accept difficult decisions must be made in other aspects of education - the most vulnerable must be protected.

Those who have been going through the system in the past 15 years, who perhaps have learning difficulties or need extra support with social skills within the school spectrum, have benefited hugely from resource teaching and the fact that the position of special needs assistants were placed on a statutory footing. The announcement today, with the doughnutting of the Minister and the talk of how he had reflected on this issue, showed a complete lack of understanding of what it meant for people to have these facilities within mainstream schools. Across the developed world, best practice has been for people to be integrated into their own schools and for them go on to achieve most. What was proposed last week was a backward step and what is still on the cards is also a backward step. I appeal to the Minister, whatever decisions have to be made in the area of education, to ensure every single resource hour that can be made available is made available and that every hour for special needs assistants remains within the education services. This will pay huge dividends not alone for the children and their families involved, but also for society as a whole.

**Deputy Éamon Ó Cuív:** I am pleased to have an opportunity to speak. The first thing I would like to do is to recognise that the Minister has reversed the decision he made initially.

**Deputy Ruairí Quinn:** I have adjusted it.

**Deputy Éamon Ó Cuív:** However, I have to question about how that decision was made. The Minister had to have known that, with an increasing demographic and what he had already planned for in regard to increasing the number of classroom teachers, it was inevitable that the demand for resource teaching hours would increase. I cannot fathom how he allowed the decision to be made that would provide for all of the extra classroom teachers but would not deal with the people most in need of support in the system, namely, the children who need resource teaching hours.

When the Minister rightly reversed his decision on the DEIS band one schools, he gave the excuse on “Morning Ireland” that he was new to government and had much to learn. He can give no such excuse now. It is legitimate, therefore, for us to try to get an explanation from him as to the thought processes that let him think he was going to be able to provide the same resource teaching hours for children with many more in the schools and much greater demand on the services provided. He has said he recognises he was wrong on the resource teaching hours but still says he is right that there will be no increase in the need for SNAs, despite the fact that the number of children in schools is increasing.

The other side of the equation on which the Minister has not let us in is the part where he says this has budgetary implications and that savings will have to be made elsewhere. He might outline these savings in 2013, in respect of which we are talking about a period of four months, but more particularly in 2014. When the Government took office, it stated it would do the budget in a totally new way. The committee of which I am a member was promised that early in the year we would be given the opportunity to have an input into possible decisions that might have to be made based on the budget arithmetic. I suggest the Minister go before the committee and put before it all of the options he is considering regarding “savings” next year. It is very important that we proof these savings to ensure we are not always hitting the weakest and most vulnerable in society. The Minister always seems to have a fetish for hitting those on

the margin, those in DEIS band one schools, with a disability, living in rural areas or on islands. It seems to make no difference to the Minister as long as they are not able to create a critical mass to upset his party colleagues. Thankfully, in the case of DEIS band one schools, there was enough of a voice to ensure he changed his mind.

I will give an example of the mindless decision-making that results in no financial saving in which the Minister seems to glory. We had maintained a situation where if we had eight pupils in an island primary school, since that school would be entitled to a full-time teacher and approximately 20 hours of general learning support teaching, we kept two full-time teachers in the school. Our belief was that there was no way to send children to another school down the road when there was water between them and that it was important to sustain island communities because they had become much more expensive to the State when they became unsustainable and one kept providing the service for an ever-dwindling population. The Minister has brought in a new rule whereby if the number drops below eight pupils in one September, it must increase to 17 to get the second teacher back. Is there any logic in this? Is there a good financial reason for it? Only five schools are affected, on Tory Island, Clare Island, Inishturk, Inis Meáin and Sherkin Island. Aranmore and Inis Mór each have two schools that are not qualified, while Inis Oirr and Inisbofin have plenty of children, yet the Minister creates this impossible ceiling below which if they ever fall, they will have to get back to 17 rather than eight pupils to get the second teacher back. His Cabinet colleague, the Minister of State with responsibility for the islands, maintains that the Government has a positive, supportive policy on the islands. They go on about the culture and unique heritage of the islands, but an island without children has no future, as the Blasket islanders found out.

The Minister's total policy is to hit those who cannot hit back, are small or will be unable to create a big row. Thankfully, in this case, the outrage was so great on the part of so many that he was forced to row back on the decision made. One of my worries is that he will replace it with an equally bad one and that next time he will focus on some group that will be unable to defend itself and fight back. Under his stewardship not all parts of the country are equal. To put it bluntly, places where the Labour Party vote is strong and there is high Labour Party representation seem more equal than others. That seriously worries me.

**Deputy Ruairí Quinn:** That is rich coming from the Deputy.

**Deputy Éamon Ó Cuív:** I looked after everybody equally, as the Minister will see if he checks my record. That smear has been made many times before, but like so many of the smears made from the Minister's side of the House, it does not stand up to objective scrutiny. When we analyse his policies objectively, they are very clear as to which communities take the hit and are unfairly treated every time. If he does not believe me, I ask him to examine that mindless policy on the islands and reverse it tomorrow, as he reversed this decision in this instance.

**Deputy John Browne:** I wish to share time with Deputy Cowen.

I welcome the opportunity to say a few words on this motion and congratulate Deputy McConalogue on putting it forward. We welcome the Minister, Deputy Quinn's, latest realisation that he made a mistake in signing off on an additional 12% cut in resource teaching hours but we are concerned that this latest U-turn has not been extended to the additional 10% cut in SNAs. It will come as a relief to parents and teachers that the Minister again realised that he made a mistake in targeting children with special needs for more cuts in September. However, this is not the full reversal of special needs cuts which the Minister wants us to think it is.

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While he has decided to reverse the 12% cut to resource hours, the 10% cut to SNA provision still stands. I invite the Minister to come to Enniscorthy, to St. Senan's primary school and to Scoil Mhuire in Wexford. These two centres for autism are finding it very difficult carry on because of the reduction in special needs assistants. The centres mounted a protest before the general election. They criticised the previous Government even though they had more SNAs at that time than now. The incoming Labour Party and Fine Gael Government promised them a significant increase in the number of SNAs. The Minister, Deputy Quinn, did not make that promise but his representatives in Wexford promised an increase in SNAs across County Wexford. This has not happened. A total of 22,000 children across the country who need SNAs will still see a reduction in support when schools resume in September.

The Minister has shown that it is possible to find money to protect crucial services for children with special needs when the will is there to do so. I ask the Minister to look at the SNA situation and to go back to the Cabinet to reverse the SNA cuts. It is very important that schools would be given the correct allocation of SNAs in the interests of the children and their parents. This Government seems to be obsessed with making cuts in the disability sector. I note the cuts in the care grant and the withdrawal of the mobility grant for new applicants. The Minister extended it to September but the withdrawal of the grant for new applicants is causing grave concern.

A meeting was held yesterday in my county attended by myself and by representatives of the Minister, Deputy Brendan Howlin, and the Minister of State, Deputy Paul Kehoe. We met people with disabilities who are very angry and annoyed that this Government continues to reduce the level of funding available to them. They outlined the ways in which these cuts have been made over the past two years. They outlined the difficulties encountered in having any reasonable standard of living. It seems to be an obsession with the present Government to cut funding to the less well-off and poorer people and to withdraw moneys from people with disabilities. I have a vested interest in this issue as my daughter has spina bifida and she uses a wheelchair. I have first-hand experience. We are fortunate to be in the VHI but I can see the difficulties faced by people with disabilities.

I welcome the Minister's appointment of Eamon Stack to chair the working group to review special education because such a review is required. I meet parents regularly and they are not very happy with the National Council for Special Education as they regard the assessment process for children for primary and secondary schools as way too slow. I think the Minister will agree that it is very difficult for those waiting to be diagnosed in order to be given the special facilities. I hope that Eamon Stack will rev up the national council so that it will make changes in its assessment procedure for children with disabilities waiting to go to school. I hope he will accelerate the assessment. The procedure is very slow and parents are concerned that this delay is a policy decision to ensure that fewer people will be in a position to avail of the facilities they require. The Minister made a major mistake in his announcement earlier in the week and the reversal of the decision is to be welcomed. In my view he needs to take control of his Department because his officials are coming up with hare-brained ideas that are not in the best interests of young people who want to be properly educated in mainstream education. Many parents of people with disabilities believe they should go to mainstream schools and it is only right that politicians would provide that facility.

**Deputy Barry Cowen:** I have spoken in the House many times in support of many Opposition motions relating to education, health, community employment schemes and the disability sector, among others. This Government has broken many promises - promises which it did

not need to make - in the general election campaign of 2011. The main headline commitments were related to personal taxation and social welfare rates. The Government failed even in those commitments when one considers that in its efforts to widen the tax bands it has imposed the property tax and the imminent water charges without due diligence and without proper preparatory audit procedures. It has also failed in its commitment to social welfare when one considers the slashing of children's allowance and the debacle of the carer's, respite and mobility grants followed this week by the SNAs and resource teaching.

The most common thread and theme in the most common, callous, concerted and targeted cuts is that they have been directed at rural services and at the disability sector. We all know that Labour's heartland is in the cities and the major towns; its identification with rural affairs is minimal. The party has no history in that sector and it is not interested in creating one. How could it, when one considers the cuts dished out to rural transport, to rural Garda stations, to postal facilities and contracts, in rural community employment schemes and rural community welfare offices, in assessing rural agricultural buildings when examining the qualification procedures for third-level grants and, most severely of all, its efforts to amalgamate and close rural schools, the very heartbeat, foundation and source from which character-building emanates? They just do not get it. However, what troubles and annoys me and what I fear most is that it appears that Fine Gael does not get it either. We are told that Fine Gael is the dominant force and has put Labour in its place. In my view, Labour has got its way on all these issues.

I note the Government's attitude to the disability sector, rural Ireland, rural education, special needs assistants and the manner in which resource teaching hours are allocated. If this Government is committed to education, to the ideals of the Constitution which espouses equal rights for all our children, how can the Minister improve teaching resources for mainstream education but he cannot improve them for children with special needs? Last week the Tánaiste stood over these cuts and tried to tell our spokesperson that the Government had not made cuts in special needs hours. As he has pointed out today, 22,000 children - an increase of 2,000 - are seeking the services and the Minister proposes giving them the same number of hours. The Government and the Tánaiste say there have been no cuts in this regard but that is not true, it is simply not factually correct for the Minister to try to explain what is inexplicable. One could go so far as saying that the Minister is treating those children with special needs, their school principals, the school managers and school boards of management, with contempt, with arrogance and with absolute disregard for how they are feeling.

The Minister has admitted many mistakes since coming into office and he is to be commended on that. He has apologised to students on the issue of his commitment on third level fees made in Trinity College before the general election. He has apologised to students and their families for the manner in which the SUSI debacle was handled which was not to his satisfaction. He accepted responsibility. He has apologised for getting it wrong with regard to DEIS schools and for the pressure from his own party, predominantly. The Minister apologised earlier today for the mistake he made in the allocation of resource teaching hours. There is a theme and a callousness in the manner in which the Government has singled out rural services and the disabilities sector. The Minister's performance confirms that. Despite all the apologies and attempts to rectify obvious mistakes made with the best intentions, things have not improved.

When I meet boards of management in my constituency, as I did last night, I see the passion they have for their role and the effort they make to continue against the tide to provide the services they want to see in their schools and the difficulties and the hardship imposed on them in trying to do that. The Minister would say that Fianna Fáil does not have form in this area but

we do. We gave a great deal of funding for the provision of facilities, services and new schools. We have form by virtue of the submission we made prior to the last budget when we sought to ring-fence education funding. We said we prioritised funding for education and would move heaven and earth to meet the demands of our children, especially those with special needs. It has become clear to those in opposition that, unfortunately, the Minister has targeted in a callous manner the educational facilities and services that must be provided to all our children.

**Minister for Education and Skills (Deputy Ruairí Quinn):** I move amendment No. 1:

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

“notes:

— the absolute commitment of this Government, and the Minister for Education and Skills, to protecting Government spending on supporting children with special educational needs – an area which has been prioritised above all other areas by this Government, despite the enormous pressures on all areas of public spending;

— that this Government has maintained the €1.3 billion annual funding for additional teaching resources and special needs assistants, SNAs, to support children with special educational needs, at a time when there is a requirement to make expenditure savings across a range of areas;

— that provision for SNA support for the coming school year will remain at 10,575 posts, which is unchanged since the introduction of a cap on the number of SNA posts by Fianna Fáil in 2010;

— that all children who qualify for SNA support will receive access to such support and all children who qualify for resource teaching will receive support at current levels;

— that the demand for resource teaching hours has risen by an unprecedented 12 per cent over the last year, while student numbers have grown by only 1.3%;

— that our response to this demand cannot simply be to continue increasing spending in an unsustainable manner – an approach previously adopted by Fianna Fáil-led governments;

— that it is has become apparent that significant inequity exists within the current system of resource teacher allocations, and that the model for allocating these resources is deeply flawed;

— that some children, particularly those in disadvantaged communities, are being further disadvantaged by the flaws in the current model;

— that the Government welcomes the publication of the recent policy advice provided by the National Council for Special Education, NCSE, on supporting students with special educational needs in schools;

— that the Minister for Education and Skills has, as suggested by that advice, requested the NCSE to establish a working group to develop a proposal, for consideration, for a “tailored” allocation model, which would underpin a new allocation system for teaching supports for children with special educational needs based on the profiled edu-

cational needs of children in schools;

— that Mr. Eamon Stack, Chairman of the NCSE and former Chief Inspector in the Department of Education and Skills, has been appointed chairperson of that group, with a mandate to report to the Minister for Education and Skills, by the end of September, with preliminary views on how the allocation system may be reformed;

— that, pending the receipt of that report, the Minister for Education and Skills has decided that the 500 posts which have been held in reserve for late applications will be used immediately to ensure that individual allocations will be preserved at 2012-13 levels while the transition to a new model of allocating resources is under way; and

— that this Government is resolute in its determination to resolve the economic woes created by successive Fianna Fáil-led Governments and will continue to invest in building fairness and quality into our education system.”

This evening’s debate provides an opportunity to clarify some of the issues surrounding the allocation of supports for children with special educational needs for the coming school year. It also provides me with an opportunity to reassure all parents of children with special educational needs that their children will continue to receive the supports necessary to ensure that they receive an education appropriate to their needs. We must be very clear about the changes announced by the National Council for Special Education, or NCSE, last week. The NCSE announced the allocations to schools in two separate and distinct categories of support for students with special educational needs. The NCSE informed schools that 10,490 of the 10,575 special needs assistants in our education system would be allocated to schools for September 2013. This year, we will again provide funding for 10,575 whole-time equivalent special needs assistant posts. This is the same number of SNA posts that was available last year. As Deputies will be aware, particularly those opposite, there is a cap on the number of SNAs within the education system. It was introduced by the previous Fianna Fáil Government in 2010. The Government has not altered the cap in any way, shape or form since March 2011. Due to the economic situation, the Government is not in a position to revisit the decision made by Fianna Fáil to place a cap on the number of SNA posts available. However, we have maintained provision. Unlike other areas of the public sector, SNA vacancies are being filled up to this number. The number has been ring-fenced as well as capped.

Schools had been asked to submit their applications by 15 March 2013 for SNA support for the coming school year. Having considered these applications, the NCSE was able to meet all requests and allocate 10,490 posts on the basis of the exact same criteria it used last year. For the benefit of Deputies opposite, some of whom seem confused on this point, I will be very clear. The allocation of SNAs was done by the NCSE on the same policy basis as in previous years. There has been no reduction in the number of SNAs available and, as a result, no need for me to make any changes to the allocation system in my announcement earlier today. There have been some references to cuts to SNAs this year both in the House and in the media. I repeat and confirm for the benefit of the House that there has been no reduction to the number of SNA posts which are available for allocation to schools. For the coming school year, 24% of schools will have an increased SNA allocation, 23% will have a reduced allocation and 53% will see no change in their allocations. This is evidence of children growing up, gaining independence, learning new skills and even moving schools. It is manifestly false to describe these shifts across the system as cuts to individual children. No child who requires access to SNA support will be deprived of it. There has been no change to the eligibility criteria this year.

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Parents who may have been frightened by reports of cuts need have no fears that their child will be denied access to an SNA. All eligible children have been allocated SNA support by the NCSE for the coming school year.

**Deputy Charlie McConologue:** What about the 10% increase in demand?

**Deputy Ruairí Quinn:** Given that we have allocated 10,490 posts, 70 posts remain for allocation during the school year while additional posts may be freed up during the year where pupils do not enrol in schools or where care needs diminish. My Department will also provide further clarity to schools in the coming months on the role of SNAs in schools in accordance with the recommendations contained in the recently received NCSE policy advice and the recommendations contained in my Department's value-for-money and policy review of the SNA scheme.

Resource teachers are fully qualified teaching staff who provide additional support for children with learning difficulties or special educational needs. While they are a separate and distinct category of educational support from special needs assistants, allocations of resource teachers are made in tandem with SNA allocations to provide certainty to schools on their staffing levels. The Government has also protected the number of available resource teaching posts in our education system. As in the case of SNAs, the overall number of available resource teachers has not been reduced by the Government in any shape or form since March 2011. However, the demand for resource teaching hours has dramatically increased which has posed challenges for the allocation model in recent years. Last week, the NCSE advised me that demand for resource teachers had risen over the last year by some 12%. Indeed, there has been an increase in the demand for resource teachers by 25% over the last four years, while demographic growth has meant an increase of only 5% in the overall school population in the same period. In effect, we have been asked to do more with less in terms of how we deploy the extensive resource teaching provision in our education system.

This morning, I announced that I was authorising the NCSE to allocate resource teachers to students with special educational needs on the same basis and at the same level as last year. I also announced the appointment with immediate effect of Mr. Eamon Stack to chair a working group, which has been established to develop proposals for a new model for allocating resources and supports in schools. The working group has been established by the National Council for Special Education, which is chaired by Mr. Stack. The working group, which will include parents, will begin its work immediately. It will report to me in September with preliminary views on how to reform the system of allocation of the substantial additional educational resources for pupils with special educational needs. I have also asked the NCSE to urgently probe the reasons for the unprecedented 12% rise in applications for resource teacher support this year. The rate of increase compares with an annual 1.3% increase in the number of students attending school. I have grave concerns about the scale of the surge in demand for resource teachers this year relative to the growth in the student population. It is very important to obtain a clear understanding of the underlying causes for this unprecedented level of increase. The NCSE has recently provided me with a comprehensive report on supporting students with special educational needs in schools. In its report, the NCSE has acknowledged the State's significant investment in providing supports for students with special educational needs over the past decades, which has transformed the ability of schools to educate such pupils. However, the report also makes clear there are significant disadvantages to the current system. There is evidence the current model used to allocate resources is deeply flawed. It is creating an inequitable distribution of resource teaching hours. Pupils with special educational needs in some schools in better-off

areas get more support than those from disadvantaged areas. For these reasons, I accept the advice of the NCSE on the need to develop the new allocation model to which I have referred.

The additional costs associated with the allocation of additional posts will have to be met from within my Department's budget and will create significant budgetary pressures which will have to be addressed by the Department in budget 2014 and beyond. I reassure parents that children will not be disadvantaged while we move towards the new model which will ensure greater fairness and quality of education for children with special educational needs. This is an area that I have passionately defended since coming into office, despite the claims of the Opposition Deputies, during which time I have succeeded in protecting the very substantial funding currently spent in the area.

Some €1.3 billion will be spent this year in support of children with special educational needs. It is equivalent to the amount the Government spends on the Garda Síochána or the on the entire higher education system. Media commentators over the weekend remarked that, ten years after the Special Olympics were held in Ireland, we were starting to regress in terms of our provision and support for those with disabilities. I can appreciate why some people feel that way and I acknowledge the sentiments. However, that analysis is a little simplistic. We must be honest with ourselves and give a true account of the situation. For too long, the supports given to those with special educational needs in this country were far and few between. That was wrong and it was right that this should change, but in 2013 we spend €1.3 billion on supports. Much progress has been made but sometimes one gets the impression that nothing has changed. This level of investment represents approximately 15% of the entire educational budget of the Department, which is €8.3 billion. It is quite simply an enormous sum and it has been ring-fenced during the four difficult years since Fianna Fáil decided to inextricably link our country's fortunes with the gambling debts of bankers and property speculators. We heard quite a lot about it today. This week's revelations about the goings on in Anglo Irish Bank during that period are a timely reminder of why the party opposite has no credibility on handling this country's public finances in a trustworthy manner. Quite simply, the recklessness of Fianna Fáil in government has jeopardised all the social advances this country has made in the past 20 years. This Government is working hard to ensure this does not happen.

This Government has been absolutely committed to protecting the level of investment being made to support children with special educational needs at a time when there has been a requirement to make expenditure reductions across a range of areas. It is an area of spending that has been prioritised above all other areas by this Government despite the enormous pressures on all areas of public spending. The level of expenditure provided means the majority of pupils with special educational needs can continue to be educated in an inclusive environment in mainstream schools along with their peers. I am pleased to be in a position to maintain the allocation at existing levels. I want to ensure that support for children can be maintained while we move towards the new allocation model recommended by the recently published NCSE policy advice on supporting children with special educational needs in schools. I commend the amendment to the motion to the House.

**Deputy John Lyons:** I am delighted I attended the debate from the beginning. My contribution reflects my experience working as a resource teacher for 14 years before becoming a Deputy. I speak with expertise rather than scratching the surface, which is often what happens when debates take place here and people do not know much about the issue but know that it is sensationalist to say something. I chaired a meeting on behalf of the NCSE in May and I invited 166 Members of the House and all Senators to hear about the report on special education in

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Ireland and the advice the NCSE gave to the Department of Education and Skills on how best to serve the needs of young people with special educational needs in our education system. Some ten Members attended and it is hypocritical to hear comments and to see press releases from Opposition Members. I do not include Deputy Charlie McConalogue because he attended the briefing and I appreciate that he took the time to do so. I heard speakers who did not cross the door of the briefing contribute to this debate. At the meeting, we had the chance to have a mature discussion on how best to serve people with special educational needs in Ireland and on the best way to supply service delivery in light of the restrictions on the amount of money available.

The Minister has already said there is a commitment to keep the amount of money, €1.3 billion, for special educational needs, which says something about the commitment of the Labour Party, in coalition with Fine Gael, to protect people with special educational needs. Talking about special needs assistants and resource teacher hours is not what it is really about. It is about much more than that and how best to serve the young people who come through the doors of our schools to ensure their educational needs are met appropriately in order that they have the best chance in life. That may be a child in a school in Ballymun or in Letterkenny but if the child has a genuine learning need, it must be assessed and appropriately met by the skills required to give the child the best possible chance in life.

The current model of providing half the resources through a general allocation model and the other half through educational psychological assessments is not the way to provide resources so that every child in the country reaches its full potential. Ballymun lost its only special needs assistant, SNA, the other day and I am disappointed about it. If a teacher recognises a child in Ballymun has a learning difficulty, given the limited resources the State must work within, the child may not get the appropriate psychological assessment to have his or her needs assessed. Meanwhile, other schools are under the same constraints and someone else may be in a position to pay for an educational psychological assessment. If so, the child is assessed and the child's needs get attention and the resource hours follow. That is great for the individual but not every parent in the country can pay for an educational psychological assessment.

At the briefing, the NCSE recommended a way forward to meet the needs of every child with special educational needs in the country in an equitable and accessible manner, by removing some families' purchasing power. It recommended a move towards a more creative, innovative and professional way to ensure every child with special educational needs is assessed appropriately. I commend what the NCSE has recommended, which involves profiling schools. Schools with a larger proportion of disadvantage, such as being oversubscribed in respect of Travellers or being located in a disadvantaged area, will be assessed on the basis of the need in the community the school is located in. Even though some of the schools in my area are DEIS schools, they have fewer resources than schools in other areas. That is a problem. One of the recommendations in the NCSE report is to change the model. We are giving out about the model, which is broken. Anybody who attended that meeting and who genuinely and wholeheartedly cared about our special educational needs children in schools would know this is the way forward. It is a much more accessible, appropriate and equitable way of dealing with the limited resources we have.

To conclude, it is a bit rich to come to the House and talk about cuts in this, that and the other. What everybody here really wants is for the individual children, both those we know and do not know, who go to our schools to reach their full potential. The model we use, which has been in place for a very long time, does not use the money and limited resources we have to do that best. The model that is being proposed will be worked on by the advisory group. There are

two parents in that group, so the advice of parents will be heard. I welcome that decision. This will hopefully provide for a better model to ensure that everybody who has a learning need will have that need met to ensure they have the best chances in life.

**Deputy Paul J. Connaughton:** I am grateful for the opportunity to speak on this motion. First, I welcome the decision by the Minister for Education and Skills to sanction the 500 additional posts that are required to maintain the current level of resource support for children who need it most. This is a crucial decision, but the announcement that preceded it should never have happened in the first place. It caused huge upset and anger among the most vulnerable and hard-working parents in our communities who are already struggling daily to ensure the maximum level of support for their children who have special educational needs.

When I was elected two and a half years ago I believed the main objective of this Government was to ensure the return of our economic sovereignty. While I still believe this is of the utmost importance, it cannot be at any cost. While we must work hard and make extremely difficult decisions about the economy, our core objective must be to ensure that the most vulnerable people in our society are protected through what will be the most difficult era in our history. The welcome announcement by the Minister, Deputy Quinn, must not be the end of the debate but the beginning of a new and more focused debate on the services available to children with special educational needs.

Over the weekend I was contacted by parents who have children with special needs. Their frustration with the entire system is obvious. There is a feeling that their child is seen as a number and not a child with a specific need. One parent informed me that her child might not get access to resource teaching in September because the child was not diagnosed before a specific date. He might get some support next November if he is lucky. This child has Asperger's syndrome and struggles with social interaction. School will be a daunting enough experience for him next September and the fact that he might not have the support he needs only makes the situation worse.

The first element of the debate must focus on what the level of resource requirement will be ten or 20 years hence and why we are experiencing such a huge surge in applications for resource hours. Is it because of a much improved understanding of educational difficulties and how can they be addressed on a one-to-one basis? Are other factors causing a huge increase in the number of children being diagnosed with conditions on the autism spectrum? The next step in the debate will be to determine what other supports these children will need, such as speech therapy and occupational therapy. At present, such services appear to vary in availability across the country. When a child needs these services, they need them immediately. There are still too many children waiting for these services, and as the months and years pass the effectiveness of such supports lessens.

Money spent now on the education of children is money spent wisely. It gives them a greater opportunity in life from an earlier age. Without such essential supports to help children with intellectual disability, they could become frustrated and alienated and if school becomes unmanageable for them, it might prompt them to leave it early. That brings a new set of problems and challenges for the country. I have no doubt we have young people within our justice system who became very frustrated by the lack of supports in our schools and did not have the specific skills to cope.

Another matter that must be addressed is the issue of students with intellectual disabilities

who are leaving school. Every year we see parents under huge pressure as they try to access services for their school-leaving son or daughter at a time when providers of such places are struggling to maintain current services. Last year we were assured that this would not happen again this year, but I am again being contacted by concerned parents seeking to secure a place for their son or daughter next September. We must establish clear mechanisms so parents are not faced with this uncertainty every year.

In conclusion, I welcome the provision of the 500 additional posts, while acknowledging that it will make budget decisions even more difficult in the future. However, we must never lose sight of the fact that these children only have a brief window of opportunity to address these educational difficulties, and talk of banking collapses and financial crises will not give any solace to them when they reach adulthood. If there is to be a social dividend from forthcoming budgets, it must always be targeted at the most vulnerable people in our society, including children with special educational needs.

**Deputy Jonathan O'Brien:** It is very unfortunate that, once again, we find ourselves discussing this issue. I am the first to recognise that over the last two budgets the Minister has protected the budget for special education under very difficult circumstances. I believe that reflects his personal feelings about the issue and his priorities. However, I will discuss that later, because there is an issue here that goes beyond the Department of Education and Skills and I will expand on that.

Unfortunately, we are now discussing another cut that was announced last week in the education sector. We have been in this position previously with regard to DEIS and changes in the pupil-teacher ratio in further education colleges. I hope that as a result of this debate, which to my recollection is the third Private Members' motion on education cuts, we will learn a lesson. The lesson that not only the Minister but all of us must learn is that we cannot continue to make announcements and then carry out a review of what the impact of the announcement will be. That happened with DEIS. There was an announcement of the withdrawal of legacy posts and supports for DEIS schools. There was a huge public outcry about it. In fairness, the Minister listened, ordered a review of the decision and partially reversed it. Again, however, that reversal had to be within the education budget and the savings had to be found elsewhere. Schools were hit with an additional cut in their capitation grant.

That also happened with the increase in the pupil-teacher ratio for further education colleges. The Minister announced it and I was very critical of him during that period. In my view, we more or less washed our hands of it and ordered a review to be carried out by the chief executive officers of the vocational education committees, VECs, and the principals. We told them it was up to them to ensure that the impact of that policy decision on the number of courses would have to be limited as much as possible.

That said, I welcome the announcement today, and particularly the announcement that a working group will be established under the stewardship of Mr. Stack. The group will consider developing a new model for the allocation of resources to children with special educational needs. The current model is not one that we should continue to use. There are concerns about it, as we have seen from the report. I was not at the briefing but I met the NCSE separately and discussed it then. Deputy Lyons referred to some of the issues in respect of how it is being used. If one has the means to pay for the assessment, one can get the resources faster. We have all seen situations where those who need the resources should get them regardless of their income or wealth. That is something every Member of the House would like to see happen. The inclu-

sion of parents in the working group is positive and welcome. The fact that the group will start its deliberations immediately and report to the Minister by September is a very positive part of the announcement he made today.

I also recognise that the Department today decided to provide an additional 500 teaching posts to meet the increased demand for resource hours. However, that does not deal with the issue of SNAs. The Minister stated that he is working according to the cap set by the Fianna Fáil Administration. That is correct, but the reality is that we are not dealing with the same number of people in need of the help of special needs assistants. When the Minister says every student who needs access to a special needs assistant will have such access, we should ask ourselves whether it will be of a reduced kind. That is the question that parents want answered. While we all know children will have access to the resources needed, will it be at the same level as previously enjoyed?

Let me address the announcement made last week. Questions need to be asked as to why it was made. I understand we know the number who require additional supports provided by resource teachers. Last year, the number was 38,400 pupils and this year it is to be 42,500. We knew in advance there would be increased demand for resource hours and research teachers, yet a decision was made last week to make the announcement. It was reported in some media - perhaps the Minister can clarify this - that he asked the NCSE to hold off on the announcement for three weeks. I do not know whether this is the case, but perhaps the Minister can clarify it.

There certainly needs to be a change of focus, because the Cabinet and Departments work in isolation in respect of funding. The Minister for Finance and Minister for Public Expenditure and Reform give each Department a set figure within which it must work every year. It is up to the Minister in each Department, including the Minister for Education and Skills, to work within this budget. This is a flaw in the system. One should consider how the Scandinavian countries dealt with their education systems when in recession. They took funding decisions on a collective basis. Finland, when coming out of recession following the break-up of the Soviet Union, made a collective governmental decision not to decrease the budget for education. The country has reaped the benefits in that it now has one of the best education systems in the world.

It is unfortunate that the Minister for Finance and the Minister for Public Expenditure and Reform give each Department a set budget within which it must work. This creates a silo effect. Each Department must scramble to find savings and make cuts. There is no cohesion and no one taking a step back to determine what is best for society as a whole. Every Minister is thinking about how he or she can save money in his or her individual Department. That is not the way to proceed.

There are questions to be asked about why the decision was made last week. I do not understand why the Minister made the announcement last week and reversed it today on foot of the huge public outcry over the weekend, although the reversal is to be welcomed. The reversal does not excuse the fact that the wrong decision was made in the first instance. It caused considerable anxiety. The trouble with this way of engaging in politics is that people are now wondering whether they just have a temporary reprieve. The Minister stated that further savings would be required in the budget for next year. Some €44 million was originally intended to be cut from the education budget next year, but this sum will obviously be increased to make up for the announcement made today. There is real fear that the reprieve is only temporary.

We need to reassure people that the State will do what is required for children with special

educational needs, because it is their right. We cannot continue to make announcements and then hold up our hands and say we were wrong and will carry out a review. We must stop operating in this way; we need to know the impact of policy decisions before we make announcements. One way we can do this is by budget-proofing announcements before they are made. I have never been a Minister and do not know how the Department works but I am sure the Minister is presented with a number of options for making savings and that he must then make a decision as head of the Department. I am sure an impact analysis is carried out on each option. The Minister must have some idea of the consequences of decisions. Reversing announcements and carrying out reviews is not the right way to operate.

I have commended the Minister in the past as he and the Minister of State, Deputy Cannon, have introduced some very progressive Bills. The Bills pertaining to Quality and Qualifications Ireland, the education and training boards, and further education and training were very progressive and reforming and will benefit generations to come. All of this good work gets lost when we make decisions such as the one that was made. Tonight, we are discussing special educational needs. Families with children with such needs are worried about what is coming down the line. They worry that the reprieve is temporary.

I do not know whether the Minister has determined where we will find the money. When there was a reversal in respect of DEIS, there was a decrease in the capitation grant for the schools. Has the Minister made a decision on where he will make the budgetary savings as a result of today's announcement?

In his contribution, the Minister referred to disgraceful Anglo Irish Bank telephone conversations that have been publicly aired. This is absolutely despicable stuff. It frustrates and really angers people to see the economic state of the country resulting from poor decisions by bankers and former Governments. Ordinary citizens are bearing the brunt of the decisions. I hope we will all learn from this. We cannot continue to do business as we are doing, namely, by making announcements, reversing them and then proceeding to reviews. There ought to be long-term planning for the education system. We need to consider a collective, cohesive approach from the Cabinet in this regard. I would love to see every Minister recognise the importance of education to economic recovery. As a result of importance being attached to education, I would love to see a collective decision made by the Cabinet to protect the education budget. This is done elsewhere and I do not see why we need to continue operating as we are. At present, two Ministers allocate the budget and the others must make cuts. It is almost like a scene from *Oliver Twist* in that Ministers are being forced to return to the Minister for Finance and the Minister for Public Expenditure and Reform to say, "Please, sir, I want some more". It is the wrong approach.

**Deputy Catherine Murphy:** I welcome the announcement, like everyone else, of the change heart by the Minister and of the provision of 500 additional teaching posts from September. However, there is a caveat, which is a concern. I come from an area with one of the highest birth rates in the country. That is the profile of three counties on the periphery of Dublin where class sizes are higher than anywhere else because the preceding year's enrolment is used to calculate special education needs provision. An area with that profile is at a disadvantage all the time. Pupil-teacher ratios can be different from class sizes and when an area has the highest class size in the country, that creates an additional concern.

Special education needs provision over the years was disgracefully unmet, even during the good times. I recall that during my previous tenure as a Member in the 29th Dáil, I asked

a series of parliamentary questions about how much had been spent fighting parents in court. Parents were routinely in the courts seeking appropriate education for their children and over the preceding three years €20 million had been spent fighting them. They played a major role during the time of perceived plenty trying to develop services because people will no longer accept that children with special needs are second class citizens.

In addition to the issue of the number of teaching posts, the conflict between the Department and the HSE in the provision of speech and language therapy and occupational therapy places is a major issue. I came across a case in recent days where children are taken out of school and marched to a clinic. If they do not live in the HSE catchment area, they are not provided with a service, which is not good enough. This dispute means children are paying the price. It is a disgrace that adults are rowing and children are losing out. This needs to be dealt with as a matter of urgency. I intend to send a note to the Minister and to the Minister of State at the Department of Health, Deputy Alex White, about this case.

The terminology used by the Government refers to the amount spent on special education needs but we need to use different language and refer to the money invested. When money is invested in children at an early age, a significant return is generated. There needs to be an early diagnosis of needs in order that the window of learning opportunity is grasped as early as possible.

I am concerned that an historical model is used to count class sizes. In an area with an expanding population, there should be a means of predicting that the growth will continue if it has been the pattern because a disadvantage is currently built into the system. The State is then trying to play catch-up with therapy services as was demonstrated to be the case when the posts were announced earlier this year. The area that was due to get the lion's share was Tallaght, Kildare-west Wicklow and, therefore, the disadvantage was doubled. I routinely meet parents who are almost permanent lobbying for essential services for their children. Will the Minister examine the historical counting of pupil numbers because in an area with the highest birth rate, this results in an unfair disadvantage?

**Deputy Richard Boyd Barrett:** I also welcome the Government's announcement that it has rowed back on what would effectively have been a cut. The Tánaiste suggested earlier this week that this was not a cut because the amount allocated was the same as last year but, as the Minister acknowledged, there is much greater demand and significant additional numbers of children are entering primary education. The requirement for SNAs and resources to support children with special needs must increase, therefore, to keep pace in order that there is not a de facto cut in the provision and supports for them. I welcome the fact that the Government has acknowledged this.

I do not wish to crow because I take this issue seriously but this is yet another victory for people power. The Minister recognised this saying there was intense lobbying of Labour Deputies, in particular. The INTO and the Special Needs Parents Association had also planned protests tomorrow and against that background the Government parties changed their mind. People should take inspiration from that because there is a clear pattern that where unfair and unjust cuts are opposed in a determined way by them getting out on the streets and organising a broad coalition to say, "That is not acceptable. We are not putting up with this and we intend to fight it", it can yield results. It yielded results regarding the planned cuts to DEIS schools provision, the plan to sell off Coillte's harvesting rights and in special education needs provision. I do not say that glibly or flippantly.

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The Labour Party has employed a logic since entering government in imposing what the Minister often frankly acknowledges are unacceptable cuts to justify that approach by saying it is better to be in government to do what one can rather than to be on the outside protesting about it. This issue shows that is not true and we are better off fighting externally through people power, as the parents of children with special needs have done, to force Governments to accept the cuts are unjust.

The problem with this tremendous victory, which is a welcome acknowledgement by the Government that what was proposed was unacceptable, is that the Minister has admitted he will have problems elsewhere in his budget. Overall, education cuts will still occur against the background of the Government's commitment to the troika. That is also unacceptable. I do not know where the Minister will make the cuts but it is difficult to imagine them being anything other than unpalatable and unacceptable whoever is hit. I cannot see how cuts would be good to any element of the education budget. Sometimes the Government tries to package cuts as reform but in reality, particularly in education, I cannot see how they can be justified. The Labour Party should not be a party to these cuts and its Members should be out with the people.

They should be out on the streets fighting this injustice and arguing that we should not be paying the debts that were incurred as a result of the type of disgusting behaviour in which, as we have now explicitly seen, these bankers were engaged. This is the flipside of the activities of these gangsters in Anglo Irish Bank. Why are any cuts acceptable against that backdrop?

Debate adjourned.

### **An Bille um an Dara Leasú is Tríocha ar an mBunreacht (Deireadh a Chur le Seanad Éireann) 2013: An Dara Céim (Atógáil)**

#### **Thirty-second Amendment of the Constitution (Abolition of Seanad Éireann) Bill 2013: Second Stage (Resumed)**

Thairg an Taoiseach an tairiscint seo ar an Déardaoin, 13 Meitheamh 2013:

Go léifear an Bille an Dara hUair anois.

The following motion was moved by the Taoiseach on Thursday, 13 June 2013:

That the Bill be now read a Second Time.

Atógadh an díospóireacht ar leasú a 1:

Debate resumed on amendment No. 1:

To delete all words after “that” and substitute “Dáil Éireann declines to give the Bill a second reading on the basis that it seeks to abolish Seanad Éireann without affording the opportunity to reform Seanad Éireann as set out in the Seanad (No. 2) Bill 2013”.

(Deputy Shane Ross)

**An Leas-Cheann Comhairle:** Deputy Niall Collins has the floor.

**Deputy Niall Collins:** I propose to share time with Deputy Billy Kelleher.

**An Leas-Cheann Comhairle:** That is agreed.

**Deputy Niall Collins:** It is a sad day when we are discussing the abolition of Seanad Éireann. The Minister, Deputy Phil Hogan, is well aware of my party's view on the issue. When the Government came to power there was talk of a democratic revolution, but what has actually happened could not be further from that declaration. In fact, the Government has succeeded only in feeding into the cynicism and dissatisfaction of the public in regard to the practice of politics in this country. It has engaged in a series of broken promises and populist measures, of which there are too many examples to name. The Minister, for instance, signed a pledge for the pro-life movement, which is very relevant in the context of another Bill that is progressing through the House this week. It is no wonder there is deep-rooted dissatisfaction with politics in this State.

Unfortunately, the Bill before us today merely represents the culmination of an ongoing power grab by the Minister, the Taoiseach and their colleagues. The Minister has demonstrated the same tendency to power-grabbing in his own brief in respect of local government. His policy document, Putting People First, contrary to its title, will serve only to weaken the autonomy and decision-making powers of local authority members. We are seeing the silo effect in overdrive, with the Government centralising power at Cabinet level while seeking to remove any obligation to subject itself to adequate scrutiny and oversight. As I said, it is a very sad day.

This legislation, as well as representing a power grab by Government, is fundamentally anti-democratic. The Government has never satisfactorily explained why it did not refer this issue for consideration to the Constitutional Convention, even though other relatively minor issues, such as voting ages and the electoral system, were so referred. I was shadow spokesman on the environment for a time, during which I engaged with the Minister on some of these issues. The Government's efforts thus far in the area of Dáil reform have been a complete joke. In the case of Friday sittings, for example, there is no provision for Leaders' Questions and no Order of Business. In the absence of his Cabinet colleagues, the Government Chief Whip seems to have been saddled with the chore of representing the Government on most Fridays. No committees sit on Fridays, divisions cannot be taken in the Dáil, parliamentary questions cannot be tabled and no points of order can be raised. The sittings are an utter sham.

Another aspect of Dáil reform that has been much heralded by the Government is the introduction of the Topical Issue debate but, again, it has proved disappointing. We were promised, for example, that the relevant Minister would be in the Chamber to respond to matters raised, but that very rarely happens.

**Deputy Phil Hogan:** That is not the case.

**Deputy Niall Collins:** It is not reform in any real sense but merely moving what was formerly the Adjournment debate to a different time slot.

**Deputy Phil Hogan:** I am in the Chamber regularly for Topical Issue debates. The Deputy should submit matters for discussion more often.

**Deputy Niall Collins:** I do so regularly but they are not selected. That, however, is another issue.

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The Taoiseach promised that Ministers would be at their desks rather than attending events throughout the country. In reality, they are never at their desks. The Taoiseach presents for Question Time once a week, on a Tuesday, whereas his predecessors were obliged to attend twice weekly. In other words, instead of increased accountability, the Government has reduced the allocation of time during which the Taoiseach can be subjected to questions from the Opposition.

The number of committees has been reduced. The system is nothing but a joke now, with a range of functions stockpiled onto individual committees thus rendering them unworkable. The only Opposition Chairman is Deputy John McGuinness of the Committee of Public Accounts and, as we know, attempts were made last week to unseat him. On the question of Dáil numbers, the Government has proposed that membership be reduced by eight at the next election. We have had no explanation as to why the number eight was chosen. That level of Dáil reform is essentially meaningless.

We are all aware of the circumstances in which the proposal to abolish the Seanad was conceived. The Taoiseach, while still in opposition and floundering in opinion polls, needed a way to get one up on the Tánaiste, whose party was then threatening Fine Gael's position as main Opposition party. The result was a dramatic shift in Fine Gael policy, which the Taoiseach set out at a speech in Glenties. Noel Whelan wrote an informative article in *The Irish Times* some weeks ago in which he referred to the decision by the Minister for Agriculture, Food and the Marine, Deputy Simon Coveney, to introduce the Animal Health and Welfare Bill 2012 in the Upper House. The Minister said on that occasion:

As the engagement from Senators has been hugely positive, I considered it appropriate to introduce the Bill in the Seanad before taking it to the other House as there are many Members here who want to get engaged in the detail of the legislation. That is important because this is important legislation.

He went on to laud the Seanad for its work on that legislation.

The Government has made a complete hames of the money-saving argument for the abolition of the Upper House with its projected figure of €20 million. It took the independent Accounting Officer of the Houses of the Oireachtas to knock that projection on its head. There has been a refusal to answer questions in this regard, even though the figure the Government gave is twice that of the estimate from the Accounting Officer. The Minister referred to Finland as a country to which we should aspire. He did not mention that it has 200 Members of Parliament and its committees have far more extensive powers than do the Oireachtas committees, including the capacity to hold Ministers to account.

My party will be campaigning vigorously in opposition to this amendment and in favour instead of reform of the Seanad. We all agree that such reform is needed and that the existing archaic electoral system cannot continue. A root and branch reform is required. As somebody who purports to be in touch with ordinary people, the Minister should know that the citizens of this country value democracy and the capacity to elect their public representatives. Despite all the populist spin and commentary which seeks to denigrate politics, people ultimately want representation but they also want oversight of the Government. A reformed Seanad can perform that function. The reality, however, is that this Government is seeking to remove all oversight. Its objective is the centralisation of power and a scaling back of the opportunity for Dáil scrutiny. This is, I repeat, a sad day for democracy in Ireland.

**Deputy Billy Kelleher:** I join my colleague, Deputy Niall Collins, in opposing this proposal. If the abolition of the Seanad was really such an important aspect of Fine Gael policy, one might have assumed the party would at least have published a policy document in sufficient time to allow its own members to be aware of it. In fact, the way in which the policy was announced left no doubt that it was a response to a dip in the opinion polls. The Tánaiste, then leader of the Labour Party in opposition and another person who has shown himself to be different in government from what he was on this side of the House, was riding high in those polls at the time. The Taoiseach, as then leader of the Fine Gael Party in opposition, needed something big to grab the headlines. There were no internal party discussions of what was proposed; it was all about the headlines. I do not mind politicians posturing from time to time and seeking headlines but when the Minister is attacking an arm of the Oireachtas, its second Chamber, I find that very distasteful, to say the least.

Then there was a great democratic revolution whereby the Government set up the Constitutional Convention to oversee the changing of the Constitution. At the very least this issue should have been referred to the Convention on the Constitution in order that it could have had an informed discussion on it and we could have had a discussion in this House and elsewhere.

I was a Member of Seanad Éireann from 1993 to 1997. It needs reform, there is no doubt about that. This House needs reform as well. Every day of the week we see a shambolic charade when the Government comes in and bludgeons Parliament to death with its massive majority, guillotines Bills, stifles debate and treats elected Members with absolute contempt and disdain. There is no process for raising issues of serious concern. There is no accountability in getting real questions answered. I believe not only as a Deputy but also as a citizen that Governments should be held to account. There is an obligation on Parliament to hold Governments to account. The way this Parliament is structured such that the Government runs the show because of the Whip system means that it has less accountability and there will be less when the Seanad is abolished, as the Government wishes. We should campaign on this issue and highlight the fact that this is a power grab, as Deputy Niall Collins said.

There is cynicism in Ireland about politicians. Why would there not be? The Government parties said they would burn bondholders, that there would be no cuts in child welfare and no increases in water charges. They made a plethora of promises when they were on this side of the House. When those Deputies became Ministers they broke one promise after another. I find it very distasteful that we cannot have an informed debate, that the public is being asked only a simple question either to abolish the Seanad or leave it as it is. That is unhealthy to say the least. If we are going to abolish the Seanad, this House needs to be reformed as well.

One of the most insulting things coming before us is the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Bill 2013. This is to inquire into issues of public interest. We know full well that this Bill is flawed from the word go. The Government is talking about a democratic revolution, finding the truth, holding governments to account and ensuring the hard questions are asked and answered. This Bill is nothing but a political stunt from start to finish. The Government has no interest in unearthing what happened prior to the banking crisis, during the crisis, the guarantee and the lead-up to it. This Bill is an insult to what we call Dáil reform. We need to have a proper investigation of what happened. It should be open, transparent, independent and impartial but it is a political stunt by the Government, particularly the Minister for Public Expenditure and Reform, Deputy Howlin, to bring forward this pitiful Bill which he says will unearth the truth. If it will, whoever allowed it out of the Office of the Attorney General will have to answer many serious questions. If one reads the Bill, one can see that it will

not hold people to account. It will hold officeholders to account, and I have no difficulty with that, but it will not hold to account people who are also potentially culpable in the demise of the banking industry in this country, the resulting guarantee and all that flowed from that.

When we talk about Dáil reform let us have a meaningful discussion on it and on Seanad reform. In the meantime, let us have a meaningful discussion on what we want to achieve in this Parliament as elected representatives of the people with regard to accountability, transparency, holding Government to account, particularly a Government with a massive majority that sweeps in here day after day, sends in one or two Ministers and repeatedly guillotines Bills. We could not even have discussions on one of the most important Bills on taxation changes in recent times, the local property tax. It was bludgeoned through Parliament. The Opposition was dismissed as if it was irrelevant. We may be irrelevant in numerical terms because of the coalescing of Fine Gael and Labour after they betrayed promises made before the previous general election. That is not the point. The point is that we are obligated to hold the Government to account and the least a Government which talks about a democratic revolution should do is try to accommodate that type of debate. It should be making itself more amenable and accountable but it is doing the exact opposite, holding sham Friday sittings when there is no accountability whatsoever, and reducing the time for questions to the Taoiseach and in which we can have responsive, rapid debates on issues of public interest, which are also dismissed out of hand.

The Government says these are matters for the Dáil. They are not. They are matters for Government because it runs the Dáil in its entirety from 10.30 in the morning until the last bell at night. When the Minister talks about reform of the Oireachtas, let us have meaningful discussions on it. Let us have a sincere debate on how we can reform the institutions of this State rather than just deciding to abolish the Seanad for cheap headlines that will garner a few votes and encourage the demeaning populist type of politics in which many people in this House engage. This was a stunt from start to finish but the people might yet realise that this arrogant Government deserves to be held to account. The more questions that are put to Ministers and the more checking and scrutiny of legislation and policies that go through the Seanad and the Dáil, the better for everyone. I hope that when we take this campaign to the people, they will respond knowing full well that this is for one reason only: a power grab by a Government that is completely removed from the reality of what happens every day in this House and treats this Parliament with disdain.

**Minister for the Environment, Community and Local Government(Deputy Phil Hogan):** I thank all the Deputies who spoke for their contributions, either to the debate tonight or on previous occasions. The large number of speakers on all sides of the House is an indication of the importance of this Bill, no matter whether one agrees or disagrees with it. With such an extensive debate it is not possible to respond to every issue. I will try to deal with the main points that have been raised. First, I remind Deputy Niall Collins that what he said tonight is very different from what Fianna Fáil said in its manifesto before the last election.

**Deputy Niall Collins:** No, it is not.

**Deputy Phil Hogan:** I will quote it.

**Deputy Niall Collins:** Deputy Martin addressed all that.

**Deputy Phil Hogan:** I will quote it.

**Deputy Niall Collins:** The Minister will misquote him.

**Deputy Phil Hogan:** Is the Deputy trying to abandon his party's manifesto already?

**Deputy Niall Collins:** No.

**Deputy Billy Kelleher:** No.

**Deputy Phil Hogan:** Very well, I am quoting from it:

Much of the rationale for the inclusion of the Seanad in Bunreacht na hÉireann has ceased to be relevant over time. Serious questions will be asked about the continued role of an entity which is struggling to justify its existence after three-quarters of a century ... It is important to note that second chambers are not an essential part of parliamentary democracy.

The Deputies should stop the usual partisan hypocrisy and the usual politics that we get. This is what Fianna Fáil said before the last election.

**Deputy Niall Collins:** No, it is not.

**Deputy Phil Hogan:** In fairness to the Taoiseach, he said something similar before the last election and he is going through with it and giving the people an opportunity to have their say.

**Deputy Niall Collins:** What did the Taoiseach say in Glenties?

**Deputy Phil Hogan:** Seanad reform has been the subject of much debate over the years, principally from Fianna Fáil Leaders of the House in the Seanad, and nothing has happened. As the Taoiseach said in opening this debate, the correct approach is to start by asking whether we need a second House at all. That is what we are asking the people to decide. The contention that a second House is crucial to democracy is simply untrue. The Scandinavian countries do not have second houses. Other small, successful countries, such as New Zealand, have shown that it is perfectly possible to operate with a unicameral parliament. Most of the new nations in central and eastern Europe have also decided that they do not need a senate.

**Deputy Niall Collins:** Those parliaments can hold their governments to account. That is the difference.

**Deputy Phil Hogan:** The Government believes that a second chamber is no more necessary here in Ireland than it is in other small unitary states.

In addition, the Seanad is an outdated institution. The theory on which it is based is no longer relevant and its composition does not reflect modern society. Maintaining a House of Parliament that is produced by the electoral and nomination system that produces the Seanad is simply not defensible.

Some Deputies argued that we should not seek to abolish the Seanad until we have tackled other areas of reform. In fact, the truth is that we have been, and are, carrying out extensive reform over a wide range of areas. The proposed abolition of the Seanad is part of the Government's comprehensive programme of political reform. We aim to make our system more accountable, more democratic and more responsive, and to put people's faith and hope back into Irish politics. We have embarked on the biggest package of political reform since the passing of the Constitution in 1937. We have established the Constitutional Convention to consider a range of areas in the Constitution, and we have given a commitment that the Government will

respond, in the Dáil and Seanad, to the convention's recommendations within four months of receiving them.

Our reform of local government is the most radical in over 100 years. It will reduce the number of local authorities but widen the role and functions of councils and give them a greater involvement in economic development and enterprise support. It will also reduce the number of councillors, from 1,600 to 950. On the broader front, we will see many more powers being devolved from agencies of the State and from Departments to local level. We have published Action Plan for Jobs, and we publish regular reports on how we are implementing it. We have introduced measures to reform legal services, to deal with personal insolvency and to get our banks lending again. We have cut the size and cost of our public service and we are transforming the way it works.

We are overhauling the health system and making major changes to the education system. We said we would cut the donations that could be made to political parties, including corporate donations, and link State funding with a gender balance that better reflected what was happening in the real world. That legislation was passed last year. We said we would bring forward legislation to protect whistleblowers, extend freedom of information legislation, enable the Dáil to hold inquiries and regulate lobbying, all of which we are doing.

Deputies also argued that we should reform the Dáil before holding a referendum to abolish the Seanad. Of course, the truth is that we have been active on Dáil reform, too. While I accept that more needs to be done, we have increased the number of Dáil sitting days, as well as making it easier for backbench and Opposition Deputies to bring forward legislation and raise important issues. In tandem with the abolition of the Seanad, we are proposing further changes to strengthen the role of the Dáil. We will reform the way in which it deals with legislation. Legislation will first be submitted to the relevant Dáil committee in heads of Bill format. This means that suggestions for changes to legislation can be considered and any key flaws identified before the full legislation is even published. To allow for extra consideration and scrutiny of legislation in the Dáil, a new schedule will increase the time allocated to legislation. Each Bill will be referred back to the committee that originally considered it for a final examination. A Minister will have to revert to the relevant Dáil committee within 12 months of the enactment of a Bill to review and discuss its functioning and effectiveness. This new legislative process will ensure legislation is fully considered before, during and after its enactment.

Several Deputies mentioned the importance of improving the committee system. The Government is working on this front also. We will empower committees to carry out investigations and inquiries into matters of major public importance. The legislation to give effect to this has recently been published. We are also proposing to radically overhaul the Dáil committee system. A total of 14 Dáil committees will be established. Each committee will have 12 members and be able to invite external experts to provide a specialist input into its work. To strengthen the independence of committees, we will introduce the d'Hondt system to distribute the chairs of key committees on a proportional and equitable basis.

Many Deputies suggested the question of what to do about the Seanad should be referred to the Constitutional Convention. I acknowledge the work done by the convention. There was a good deal of scepticism about the idea of having the convention before it started its work. However, there is widespread acknowledgement that it has worked well. I compliment its chair, Mr. Tom Arnold, and his team and the members of the convention, especially the citizen members, on their work to date. The convention is dealing with items on which the Government did not

take a position in its programme. However, our programme is very clear about the Seanad. We said we would put before the people a referendum to abolish the Seanad. We are doing just that.

As has been said by Deputies on all sides, there have been many reports on the Seanad during the years. The fundamental question, however, is whether 21st century Ireland needs a second Chamber. The Government believes we do not and is putting that view to the ultimate arbiters, the people. In a similar vein, some Members were pressing for the Government to reform the Seanad rather than propose its abolition. However, as I have said, the programme for Government gives a clear commitment to put the abolition of the Seanad before the people in a referendum. That is what we are proposing to do. It is interesting that we are discussing the abolition of the Seanad and people are talking about reform. The Government's position is crystal clear: we are proposing its abolition. In this context, it is interesting to note the unanimity in the House on one issue, namely, that the Seanad, as currently constituted, is not defensible. An assembly with 43 seats elected by a tiny electorate, with six seats elected by an incomplete electorate and 11 seats nominated by the Taoiseach just cannot be defended.

It was somewhat interesting to hear people describing the proposal for a referendum as a power grab by the Taoiseach and the Government. In fact, the Taoiseach is proposing that the people should remove from him the power to nominate nearly one fifth of the second Chamber. It should also be noted that the referendum in the autumn will be the first time since 1937 that the entire electorate, not just a small fraction of it, will have a vote on the Seanad. This is remarkable. At last, we are asking the whole electorate whether we should keep or abolish the Seanad. I, as well as the Government, believe it should be abolished and we believe the people will agree with us.

Deputy Andrew Doyle made a technical point about the Bill, proposing that the holder of the position of Leas-Cheann Comhairle be automatically re-elected to ensure full membership of the Presidential Commission through a general election. This is not necessary as there is a Supreme Court judgment to the effect that the outgoing holders of the posts of Ceann Comhairle and Leas-Cheann Comhairle must be taken to survive in office for the purposes of the Presidential Commission.

I commend the Bill to the House.

Cuireadh an cheist: "Go bhfanfaidh mar chuid den Phríomh-Cheist na focail a thairgtear a scriosadh."

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

<i>The Dáil divided: Tá, 86; Níl, 30.</i>	
<i>Tá</i>	<i>Níl</i>
<i>Bannon, James.</i>	<i>Adams, Gerry.</i>
<i>Boyd Barrett, Richard.</i>	<i>Browne, John.</i>
<i>Breen, Pat.</i>	<i>Calleary, Dara.</i>
<i>Broughan, Thomas P.</i>	<i>Collins, Niall.</i>
<i>Bruton, Richard.</i>	<i>Colreavy, Michael.</i>
<i>Butler, Ray.</i>	<i>Cowen, Barry.</i>
<i>Buttimer, Jerry.</i>	<i>Crowe, Seán.</i>
<i>Byrne, Catherine.</i>	<i>Doherty, Pearse.</i>

<i>Byrne, Eric.</i>	<i>Ellis, Dessie.</i>
<i>Carey, Joe.</i>	<i>Ferris, Martin.</i>
<i>Coffey, Paudie.</i>	<i>Grealish, Noel.</i>
<i>Collins, Áine.</i>	<i>Healy-Rae, Michael.</i>
<i>Collins, Joan.</i>	<i>Kelleher, Billy.</i>
<i>Conaghan, Michael.</i>	<i>Kitt, Michael P.</i>
<i>Conlan, Seán.</i>	<i>Mac Lochlainn, Pádraig.</i>
<i>Connaughton, Paul J.</i>	<i>McConalogue, Charlie.</i>
<i>Conway, Ciara.</i>	<i>McGrath, Finian.</i>
<i>Coonan, Noel.</i>	<i>McGrath, Mattie.</i>
<i>Corcoran Kennedy, Marcella.</i>	<i>McGrath, Michael.</i>
<i>Costello, Joe.</i>	<i>McLellan, Sandra.</i>
<i>Creed, Michael.</i>	<i>Martin, Micheál.</i>
<i>Daly, Jim.</i>	<i>Ó Caoláin, Caoimhghín.</i>
<i>Deasy, John.</i>	<i>Ó Fearghail, Seán.</i>
<i>Deenihan, Jimmy.</i>	<i>Ó Snodaigh, Aengus.</i>
<i>Deering, Pat.</i>	<i>O'Brien, Jonathan.</i>
<i>Doherty, Regina.</i>	<i>Pringle, Thomas.</i>
<i>Donohoe, Paschal.</i>	<i>Ross, Shane.</i>
<i>Dowds, Robert.</i>	<i>Smith, Brendan.</i>
<i>Doyle, Andrew.</i>	<i>Stanley, Brian.</i>
<i>Durkan, Bernard J.</i>	<i>Tóibín, Peadar.</i>
<i>English, Damien.</i>	
<i>Farrell, Alan.</i>	
<i>Feighan, Frank.</i>	
<i>Ferris, Anne.</i>	
<i>Fitzgerald, Frances.</i>	
<i>Fitzpatrick, Peter.</i>	
<i>Flanagan, Luke 'Ming'.</i>	
<i>Flanagan, Terence.</i>	
<i>Griffin, Brendan.</i>	
<i>Halligan, John.</i>	
<i>Hannigan, Dominic.</i>	
<i>Harrington, Noel.</i>	
<i>Harris, Simon.</i>	
<i>Healy, Seamus.</i>	
<i>Heydon, Martin.</i>	
<i>Hogan, Phil.</i>	
<i>Howlin, Brendan.</i>	
<i>Humphreys, Heather.</i>	
<i>Humphreys, Kevin.</i>	
<i>Keating, Derek.</i>	
<i>Kehoe, Paul.</i>	

<i>Kelly, Alan.</i>	
<i>Kenny, Seán.</i>	
<i>Kyne, Seán.</i>	
<i>Lawlor, Anthony.</i>	
<i>Lynch, Kathleen.</i>	
<i>Lyons, John.</i>	
<i>McCarthy, Michael.</i>	
<i>McEntee, Helen.</i>	
<i>McLoughlin, Tony.</i>	
<i>Maloney, Eamonn.</i>	
<i>Mitchell, Olivia.</i>	
<i>Mitchell O'Connor, Mary.</i>	
<i>Mulherin, Michelle.</i>	
<i>Murphy, Catherine.</i>	
<i>Naughten, Denis.</i>	
<i>Neville, Dan.</i>	
<i>Nulty, Patrick.</i>	
<i>O'Donnell, Kieran.</i>	
<i>O'Donovan, Patrick.</i>	
<i>O'Mahony, John.</i>	
<i>O'Sullivan, Jan.</i>	
<i>Perry, John.</i>	
<i>Phelan, Ann.</i>	
<i>Reilly, James.</i>	
<i>Ryan, Brendan.</i>	
<i>Shatter, Alan.</i>	
<i>Shortall, Róisín.</i>	
<i>Spring, Arthur.</i>	
<i>Stagg, Emmet.</i>	
<i>Stanton, David.</i>	
<i>Tuffy, Joanna.</i>	
<i>Varadkar, Leo.</i>	
<i>Wall, Jack.</i>	
<i>Wallace, Mick.</i>	
<i>Walsh, Brian.</i>	

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

Question declared carried.

30 January 2008

Faisnéiseadh go rabhthas tar éis glacadh leis an gceist.

Faisnéiseadh go rabhthas tar éis diúltú don leasú.

Amendment declared lost.

**An Ceann Comhairle:** “Fógraím gur léadh an Bille an dara huair de réir Bhuan-Ordú 121(2)(i).”

“I declare the Bill read a Second Time in accordance with Standing Order 125(2)(i).”

**Deputy Finian McGrath:** That is outrageous. It is a bad day for democracy.

### **An Bille um an Dara Leasú is Tríocha ar an mBunreacht (Deireadh a Chur le Seanad Éireann) 2013: Céim an Choiste agus na Céimeanna a bheidh Fágtha**

#### **Thirty-second Amendment of the Constitution (Abolition of Seanad Éireann) Bill 2013: Committee and Remaining Stages**

**An Ceann Comhairle:** Before Committee Stage commences, I would like to deal with a procedural matter relating to Bills to amend the Constitution. The substance of the debate on Committee Stage relates to the wording of the proposed constitutional amendment which is contained in the Schedules to the Bill. The sections of the Bill are merely technical. Therefore, in accordance with long-standing practice, the sections are postponed until consideration of the Schedules have been completed. Is that agreed? Agreed.

#### **SCEIDEAL 1**

#### **SCHEDULE 1**

**An Ceann Comhairle:** Amendments Nos. 8 and 9 are out of order.

Níor tairgeadh leasaithe uimh. 8 agus 9.

Amendments Nos. 8 and 9 not moved.

Aontaíodh an cheist: “Gurb é Sceideal 1 an Sceideal 1 a ghabann leis an mBille.”

Question, “That Schedule 1 be the Schedule 1 to the Bill”, put and agreed to.

#### **SCEIDEAL 2**

#### **SCHEDULE 2**

Aontaoíodh an cheist: “Gurb é Sceideal 2 an Sceideal 2 a ghabann leis an mBille.”

Question, “That Schedule 2 be the Schedule 2 to the Bill”, put and agreed to.

SCEIDEAL 3

SCHEDULE 3

**Deputy Catherine Murphy:** Tairgim leasú a 10:

I gCuid 1, leathanach 13, líne 9, “ceithre dhuine dhéag” a scriosadh agus “deichniúr” a chur ina ionad.

agus

I gCuid 2, leathanach 31, líne 44, “fourteen” a scriosadh agus “ten” a chur ina ionad.

I move amendment No. 10:

In Part 1, page 12, line 10, to delete “ceithre dhuine dhéag” and substitute “deichniúr”.

and

In Part 2, page 30, line 47, to delete “fourteen” and substitute “ten”

This amendment deals with nominations for President. The all-party Joint Committee on the Constitution recommended in its final report that the number of Deputies required to nominate a candidate in presidential elections should be reduced from 14 to ten. Ten Deputies would be the equivalent of 100,000 first preference votes, which is a high bar in itself. We have an opportunity with this referendum to make the change it recommended.

When our Constitution was first framed, the citizen was at its heart. The decade of the 1930s was a very different backdrop to the drafting of the Constitution than the present context. Rights had been restricted in some countries, Germany being the most obvious example, and the Constitution represented a visionary and enlightened approach to protecting rights. I do not think people realise the extent of the changes proposed to be made on foot of the abolition of the Seanad. While there are flaws in the Constitution, I value the fact that it is written down.

In changing the number of nominating Deputies we have an opportunity to enhance citizens’ choices in presidential elections. A candidate can secure a nomination with the backing of four councils but, as we saw in the previous election, there can be considerable political interference in the form of instructions from head offices to various councillors to the effect that they should not support certain candidates. It is reasonable to reduce the number from 14 to ten given that it has been recommended by the all-party committee and I commend the amendment to the House.

**Deputy Aengus Ó Snodaigh:** I support the amendment. There should be no undue restriction on citizens who want to vote for a candidate of their liking. I have a problem with the Bill as a whole and, while I understand that my amendments were ruled out of order because they were not in the spirit of a Bill that proposes the complete abolition of the Seanad, we cannot have a proper debate on Committee Stage if other options are not open for discussion. It is regrettable that my amendments were ruled out of order. We should have been able to tease out the reason a referendum was not presented as an option. The approach proposed by Deputy Catherine Murphy could have been fully debated, as could a range of other issues.

This is probably the biggest change to the Constitution we will undertake. As we can see from the Bill, the changes are not confined to a single Article of the Constitution. The fact that the debate is being guillotined in the space of an hour means we will not have sufficient time to discuss each of the Articles proposed to be amended. I could show Deputies the divergence between the Constitution as Gaeilge agus as Bearla. While amendment No. 10 proposes to change a number from 14 to ten, the question of how that is presented in the first language can often be interpreted differently from its presentation in English. I am disappointed that we will not be able to tease out the consequences of ending a Chamber, albeit an undemocratic one in many ways. I would also like to have the time to understand the full effects of apparently minor changes, some of which will be unknown to the vast majority of citizens. They will have consequences for the democratic life of this country.

While amendment No. 10 proposes limited change, I would like to hear what the Minister for the Environment, Community and Local Government has to say about it. Other issues could have been addressed in the context of this referendum. These are the issues that the public believed the Constitutional Convention would address when it was first suggested as a vehicle for changing the Constitution. The Government decided to take a different tack, however.

**Deputy Barry Cowen:** I support the amendment. The role that Senators play as Members of the Oireachtas is important in terms of nominating presidential candidates. If the people agree to abolish the Seanad, will the Government consider a different process of nomination? In such circumstances, would the Constitutional Convention be responsible for making recommendations to the Government and subsequently to this Parliament? Will the Minister throw some light on that before he expresses his resolute objections to the amendment that has been proposed?

Like Deputy Ó Snodaigh, we are displeased that ample time has not been provided to deal with these amendments. We are especially unhappy that no alternative to abolition has been proposed by the Government, which has offered no recognition of the many reports and recommendations that have emanated from members of the Government parties over the years with regard to the role that could be played by an enhanced and reformed Seanad. As many of our speakers said on Second Stage, we respect the methodology that was used when the Seanad was established by de Valera and agreed as part of the Constitution. We accept that the Seanad has been hijacked by many political parties over the years. We accept that the manner in which it is elected means that its composition is undemocratic.

There has to be a means by which a second Chamber can have a role in our democracy. It is needed to accentuate the legislative process and to scrutinise Government proposals. That is at the core of why we believe it is a failure on the part of the Government not to offer the electorate more than the mere abolition that is proposed. There should be an option for an alternative Seanad to be put to the people. As I said when I contributed to the Second Stage debate last week, my party's position is "use it or lose it", rather than the "vote against it or keep it" approach that is being proposed. I reiterate our support for the amendment before the House. If it is not accepted by the Government, at least the House should be given an indication of the various methods that Members of the Oireachtas will be able to use when candidates are being selected to go before the people in a presidential election.

**Deputy Billy Kelleher:** I also support Deputy Catherine Murphy's amendment. It reinforces my view that if we abolish the Seanad, in line with the wishes of the Government, the nomination process used in advance of presidential elections will be more confined than it is at

present. Has any clear thought been given to a replacement process? At present, a candidate in a presidential election can be nominated by 20 Members of the Houses or by four county councils. It could be argued - it is a statistical and mathematical fact - that the removal of 60 Members of the Oireachtas will diminish the ability of the Oireachtas to nominate presidential candidates. That would have an undermining effect. We all know what happens in this Chamber when the Whip system is invoked. Deputies slavishly walk in here and vote according to the Whip. This restriction on the nominating process would confine the ability of the presidency to be genuinely a presidency of the people. If the Minister has thought about this aspect of the matter, perhaps he will elucidate his thoughts on what might replace the 60 nominations that will be lost if the people vote "Yes" in the referendum. Potentially, three presidential candidates could be nominated in this way. If large Opposition parties are unable to nominate candidates, we might end up with a presidency that is agreed by the Government.

**Deputy Phil Hogan:** The Deputy's party is the only one to have done that.

**Deputy Billy Kelleher:** Fianna Fáil has 19 Deputies at present. As things stand, neither Fianna Fáil, Sinn Féin nor the Technical Group would have the capacity to nominate a candidate.

**Deputy Phil Hogan:** A candidate can be nominated by four county councils.

**Deputy Billy Kelleher:** Therefore, this measure could have a very limiting effect on the number of candidates who might present themselves in a presidential election. It is inherently unfair, particularly in light of the efforts being made to bring the presidency closer to the people, to make it more involved and more open and to ensure it is part and parcel of everyday life. In that context, surely the President should have a legitimate mandate from the people. It is critically important for that mandate to be given in a healthy democratic contest. It gives the President legitimacy and brings him or her closer to the people. This amendment is worthy in that context. It seems that in sweeping the Seanad aside, the Government is not willing to tell us what will replace the current process in order to ensure healthy presidential contests continue to take place. At the moment, many candidates can be facilitated by Members of the Oireachtas, which is critically important. If the Minister has a proposal, we would like to hear it.

**Deputy Richard Boyd Barrett:** I support this amendment even though I am not convinced of the need for a presidency.

**Deputy Phil Hogan:** The Deputy would prefer a totalitarian regime.

**Deputy Aengus Ó Snodaigh:** The Government is moving very close to such a regime.

**Deputy Richard Boyd Barrett:** If we are to continue to have a presidency, ordinary people should be able to influence the process of selecting candidates. That process should be as open as possible. This amendment is a reflection of the need to set a low bar when it comes to the ability of ordinary citizens to put candidates forward. Deputy Kelleher's point about the party Whip system is generally true. This change will cause a problem for the parties in here. Luckily, the citizens will have another conduit for nominating candidates. I refer to the Independent group and others that do not operate party Whips.

**Deputy Barry Cowen:** They are very united.

**Deputy Billy Kelleher:** They would want more than a Whip to keep them together.

**Deputy Richard Boyd Barrett:** We are open and diverse. We listen to the people. The

amendment speaks to a more fundamental problem, to which others have alluded. I am in favour of the abolition of the Seanad because it is undemocratic and it needs to go. There is a serious danger that the Government will be defeated on this, however. People are worried that the parts of our democracy that will remain after the Seanad is abolished will not deliver what they want. I think the Government is shoring up trouble for itself. It would be ironic if those who would like the Seanad to be abolished in order to facilitate a greater level of democracy end up voting against its abolition because they do not trust the rest of the system to deliver real democracy for people. While I support the abolition of the Seanad, the manner in which the Government is providing for it is a big problem, as is the imposition of a guillotine on what should be a much more detailed discussion about the alternatives. The Government promised a debate on how we can enhance democracy. That should have been part of the package. Regardless of what one thinks about the Seanad, it is a worrying harbinger of the Government's attitude to this issue and this debate that it has sought to impose a guillotine on this substantial change to the way politics is done in this country and to the Constitution. I support the amendment, but I think the Government's attitude is causing it to career towards a bit of a disaster on this issue. It should give serious consideration to that.

**Deputy Michael Healy-Rae:** I support Deputy Catherine Murphy's amendment. On the greater context of this issue, I want to make it clear that I am totally opposed to the Government's proposal to abolish the Seanad. I will outline my reasons for taking that position. Unlike many other people, I have a couple of great reasons to support the abolition of the Seanad. I would not leave that jaundice my opinion. Of course there should be reform. The Seanad should be a more workmanlike place.

While great contributions have been made by individuals over the years, we all know very well that many people who have possessed seats in that House have copied and mimicked the work of county councillors and Deputies-----

**An Ceann Comhairle:** I am afraid you will have to stick to the amendment.

**Deputy Michael Healy-Rae:** I will stick to the amendment.

**An Ceann Comhairle:** You are not doing a good job of it at the moment.

**Deputy Michael Healy-Rae:** They have used that as their way of carving out their political career. The Minister knows I have nothing but respect for him in his role in this Government, but I have to include my total disgust at the abolition of town councils. I will go back to the amendment, as the Ceann Comhairle rightly says, but, before I do, I make the point that the issue of abolishing the town councils will come back in time. It will not bite the Minister, because he will go on to greater and better things, and good luck to him, but it will bite the party and parties who have supported their abolition because it is a wrong decision.

**An Ceann Comhairle:** Thank you, Deputy.

**Deputy Michael Healy-Rae:** I respect town councillors and the work they-----

**An Ceann Comhairle:** That is fine, but you cannot respect them tonight.

**Deputy Michael Healy-Rae:** I will respect them some other time.

**An Ceann Comhairle:** Excellent.

**Deputy Michael Healy-Rae:** To come back to the amendment and to the whole reason we are here tonight, and the reason we are going to have another vote, I believe the abolition of the Seanad is a retrograde step. Of course, there should be reform. The Ceann Comhairle is an experienced man and has been here a long time. He has seen many good people and other people go through the Seanad. Probably more than any other Member of this House, he knows the value of a good, working Seanad and having people there to perform their duties, and, as I said, not copying or mimicking, or trying to take credit for the work of others. We have a share of those and they are experts at it. They would be fit for Hollywood at this stage. Their acting capacity and their ability to claim credit for the work of others knows no bounds.

**An Ceann Comhairle:** I have to ask what this has to do with the difference between 14 and ten.

**Deputy Michael Healy-Rae:** I am coming back to that.

**An Ceann Comhairle:** Would you get back to it? This is a very limited debate and there are a number of amendments. We have just 27 minutes left.

**Deputy Michael Healy-Rae:** To finish where I started, I support Deputy Catherine Murphy in her amendment and I thank the Ceann Comhairle for his indulgence.

**Deputy Joe Higgins:** I support the amendment but that is not to say I support the idea that we need ten Dáil Deputies, let alone 14, for a citizen to be qualified to stand for the presidency. I have been calling for the abolition of the Seanad for more decades than the Taoiseach is in the Dáil, which is a very long time, but I abstained on Second Stage of this Bill to make a protest with regard to continuing with this provision in the Constitution. I must protest that the proposal that 1,000 electors nominating a particular person would be sufficient to qualify him or her as a presidential candidate was ruled out of order. I do not understand the reasoning that was given in that regard because what one is talking about here is qualification to stand as a candidate. It is as much of a qualification to suggest 1,000 electors as it is to suggest 14 Members of the Dáil or, indeed, ten.

The presidency, quite frankly, is an establishment institution. It is a decoration. It should be abolished because, in my view, the office of the presidency is meaningless in reality. However, if it is there, it should be open to any citizen to stand for it and should not be confined to the political establishment, which is largely where candidates will come from and have come from in the past because of the qualifications that were deliberately set down in order to confine it to a very narrow range of political opinion in this State.

Fianna Fáil has made some criticisms tonight of the Government position. I take it from Deputy Kelleher it is calling for a change in the qualification criteria to stand for the presidency.

**Deputy Billy Kelleher:** We have no choice as they are abolishing the Seanad.

**Deputy Joe Higgins:** If my memory serves me correctly, when I was in the Dáil previously, Fine Gael moved a Private Members' Bill proposing that 20,000 signatures of electors would be a qualification for standing for the presidency. Yet, now that Fine Gael is in government, there is no proposal whatsoever to broaden this out.

I support the abolition of the Seanad and I will vote for that in the final vote tonight. Quite frankly, I am worried about being on the same side as the Government over the next few months

in the campaign leading up to the referendum.

**Deputy Phil Hogan:** We are worried about you too, Joe.

**Deputy Joe Higgins:** Unfortunately, what is a progressive move in getting rid of an elitist institution, which most of our people would agree with, in my view, is tainted because of the nature and policies of the Government that is moving it. It is quite possible that people will take the opportunity to give the Government a kicking. Indeed, I will have to make it very clear in the course of any campaign that my economic policies, as a socialist, are diametrically opposed to those of the Government, which are in every way disastrous for our society but are also anti-democratic. We are talking here about extending democracy but we have a Government that bends the knee and capitulates to the troika and the financial markets at every stage.

**Minister for the Environment, Community and Local Government(Deputy Phil Hogan):** The Bill proposes to amend the Constitution to provide that not less than 14 serving Members of Dáil Éireann may nominate a candidate for President, so I suggest Deputy Kelleher did not read the Bill.

**Deputy Billy Kelleher:** I did. It is the Whip system that is the problem.

**Deputy Phil Hogan:** It is that the 19 members of Fianna Fáil could not nominate a candidate.

**Deputy Billy Kelleher:** We could not do so at present.

**Deputy Phil Hogan:** I am talking about the Bill before us. At present, a nomination under this provision requires not less than 20 Members of both Houses, so we are proposing 14.

**Deputy Billy Kelleher:** The Government is proposing 60 fewer Oireachtas Members.

**Deputy Phil Hogan:** I am trying to facilitate Fianna Fáil. In fact, one would have thought the process was very cumbersome to get into the field but we had seven candidates in the last presidential election. I would not know how they got nominated at all if I were to listen to the Opposition. The qualification of nomination by four city or county councils will also remain as a nominating process.

**Deputy Billy Kelleher:** We will have fewer of them also.

**Deputy Phil Hogan:** Deputy Higgins will agree we had a really good slate of candidates in terms of representing most views in Ireland.

**Deputy Richard Boyd Barrett:** No, we had not.

**Deputy Phil Hogan:** We had Michael D. Higgins, Seán Gallagher, Martin McGuinness, Gay Mitchell, David Norris, Dana-----

**An Ceann Comhairle:** Will we get back to the Bill?

**Deputy Phil Hogan:** We had a good cross-section of people to choose from on the last occasion.

**Deputy Barry Cowen:** RTE did not think so.

**Deputy Phil Hogan:** The reduction in the number of Oireachtas Members required to nom-

inate a presidential candidate arises from the proposal to abolish the Seanad, as well as the planned reduction in the number of Deputies after the next general election. The reduction proposed in the Bill will maintain the existing ratio between the overall number of Members and the number of nominations required to secure a presidential nomination.

The Bill deals solely with maintaining this existing ratio. It does not go beyond this, nor does it address issues such as the popular nomination of presidential candidates. To do so would be to go beyond what arises as a consequence of abolition of the Seanad. Accordingly, the Government cannot accept this amendment. However, it might be noted, first, that there were seven candidates on the last occasion, with the current system. Second, as mentioned by Deputy Ó Snodaigh and others in regard to popular nomination, we have a report from the Constitutional Convention that advocates a popular nomination process for presidential elections. That is a separate issue which the Government will consider in the near future in regard to whether it wishes to proceed on a number of signatures for the purposes of nominating a candidate from the citizens.

**Deputy Catherine Murphy:** This was a very tame amendment, although some of the other amendments are more serious. It was an all-party Oireachtas committee that recommended a lowering of the number to ten which, along with nomination by two county councils and directly by 10,000 citizens, were the three recommended entry ways. We are asked in the context of the abolition of the Seanad to see this as a major reform measure. We are to have the abolition first before we see substantial Dáil reform. It does not bode well when a fairly tame amendment that was recommended by an all-party Oireachtas committee in which Fine Gael participated, cannot get support. Less than an hour was given here for Committee and Remaining Stages. This is a sham because there is no intention by the Government seriously to debate or accept any of the amendments. In the context of the abolition of the Seanad, many other things happen, as others have said. I will use the next amendment on Article 12 as an example. If one was to proffer a charge against the President, one used to require 30 votes in the Seanad and the Dáil. I propose it changes to 50, and there is a world of difference there. Some of the safeguards in the Constitution come with the abolition of the Seanad. Those 30 Members of the Dáil can be made up by the Cabinet and Ministers of State. It is not about a *pro rata* change. It is a fundamental change on some levels of protections, which are there for the citizens of this State.

If the Government cannot accept something that was recommended by the all-party Oireachtas committee I do not know why we are all going to sit here until 10.30 p.m. and why the Government allows the Committee and Remaining Stages when there is such a disregard for the process, so little time is given, there is no intention whatsoever seriously to engage, scripts are written before Members come here and a small amendment such as that does not even get consideration.

**Deputy Aengus Ó Snodaigh:** The Minister dismissed, as Deputy Catherine Murphy said, a tame amendment. I put down a number of amendments. We are restricted in how we can frame amendments on a constitutional Bill, especially one which had as its target the abolition of the Seanad. One has to work within those confines and I obviously failed in my amendments because they were ruled out. That is not to say that the intent of those amendments was inappropriate and on Committee Stage, with more time, I would have debated them on the relevant sections. I will not go into them here.

The question is to change from 14 to ten Members. We changed the nominating process for Deputies in the past and it was reduced and made much easier so citizens of the State could

easily nominate themselves with the support of 30 other constituents from the relevant constituency. That made it easier and some people might say it allowed people in who otherwise would not have stood, and might have confused the issue. That is the nature of democracy. The next Dáil election will have 40 constituencies. If I were to stand in 40 constituencies, which I would be entitled to do, I would need to find 1,200 nominating individuals, 30 in each constituency. That is the type of figure the Government should be discussing as a minimum requirement for a nomination as President. Every citizen should be entitled to contest a presidential election. We probably had a bigger number of candidates in the last presidential election than in many of the previous elections and it was a better election for that. In future we should encourage people because then we might have a debate on the role of the presidency, as we have had.

The figure of 1,000 I mentioned may be too low and maybe it should be 10,000 but it needs to be something manageable by the ordinary citizen. In the past we excluded the citizen from the nominating process. Nominations had to come from Deputies, Senators or county councillors. There is no nomination process for the mere citizen. There can never be a President under the age of 35 years. Whether one agrees or disagrees with having a young President, there is probably some logic to it, but that is something to be argued in a presidential election, because there are some quite able young people.

We could have debated the effects of what the Government was proposing. While changing the Constitution to give effect to what the Government has proposed in this Bill, there could have been a range of other changes, whether to the nomination process for presidential elections or how the Dáil operated. One of my most significant criticisms of this is that nothing is presented to show how the Dáil will change in the future, whether election to the Dáil, how it operates or how it relates to the Executive. Those are the promises that are being made. We are having a debate here on a single issue out of context because the effect of it is what is in this Bill, each of the changes that are being impacted by the people if they accept the proposition to abolish the Seanad. The Government could have tinkered with and accepted some of the proposals which Deputy Catherine Murphy and a range of people have proposed over the years to try to make the system of Government in this country more democratic, reflective and transparent. These issues were not given to the Constitutional Convention.

The Constitutional Convention was mentioned earlier. We have approached this almost in a backwards fashion because the Constitutional Convention was not allowed to discuss the Seanad abolition and had its discussions around the Dáil electoral system, changes to it and how it works before any discussion of the effects of this proposition if it happens. The dismissive attitude is regrettable. Instead of reducing the required number of nominating Members to 14 it should nearly be abolished and it should not be the preserve of Deputies or county councillors. Why should it be the preserve of elected Members only to nominate presidential candidates? Why are citizens not allowed to make nominations? In a supposed republic every citizen is supposed to be equal. That provision in the Constitution makes some people more equal than others.

**Deputy Barry Cowen:** The discussion on this amendment proves the point that many of the amendments and deletions to the Constitution in the Bill affect the Constitution in a substantive way. That should be message enough for the Government to realise the folly of what it is proposing here, the method by which it is proposing it and the manner in which it is treating the process by guillotining the Bill within an hour of the opening of Committee and Final Stages. This is symptomatic of the journey since 2009 when the leader of Fine Gael, on nothing more than a whim and in an effort to gain popularity for himself rather than with his party, put for-

ward this proposal, without any thought process or any internal party discussion or negotiation. This is evident not only in the subsequent commentary but also in the contributions of many of the Taoiseach's party members and of the Labour Party during the Second Stage debate. The consistency of the Government's pursuit is evident in the manner in which the various Stages of the Bill are being dealt with in the House. Such substantive amendments and deletions being made to Bunreacht na hÉireann is of grave consequence for many facets of the Constitution and only one of which is being discussed with regard to this amendment. This is very disrespectful. It is disgraceful for the Government to treat the Constitution in that flippant manner. Unfortunately, this has been the theme since this very idea was mooted on a whim. The manner in which it is being brought through the House is also on a whim but the disrespect for the Constitution is far from a whim.

I ask the Minister responsible if he wishes to disregard the recommendations, not only of Deputy Catherine Murphy but also the recommendations of the constitutional review group, those of the all-party committee and the essence of this amendment, that ten Members and, by extension, at least 10,000 voters would be allowed to make a presidential candidate nomination. I ask the Minister to comment, for the benefit of the rest of us and for the benefit of the electorate, on the flippant and disrespectful manner in which he and the Government are treating this issue, considering the substantial amendments and deletions being made to the Constitution and by dealing with Second and Subsequent Stages of the Bill in less than one hour. I ask him to comment and to confirm that he is disregarding the constitutional review group and the all-party committee which was made up of many of the Minister's esteemed colleagues in government and in his party. Is he disrespecting them in the same manner as the Taoiseach disrespected the views and opinions of many Members who were not party to this decision and this policy trip on which the Taoiseach has embarked?

**Deputy Phil Hogan:** I am glad to clarify that the constitutional review group of 1996 recommended reducing the number of Members of either House required for the nomination of a presidential candidate, and that is what we are doing. It is a ratio proportionate to the number of Members of the House. Deputy Murphy can pick any number she wishes. We are not being disrespectful in any way of the right of the Deputy to put down whatever figure she wishes but she picked a figure from the recommendations of the All-Party Committee on the Constitution in 1998. The Government has decided this figure is too low and we are also entitled to our view.

**Deputy Richard Boyd Barrett:** Will the Minister explain why?

**Deputy Phil Hogan:** The Government is entitled to a view as well as everyone else.

**Deputy Joe Higgins:** Why can any citizen not stand?

**Deputy Phil Hogan:** We are looking at the nominating process for presidential candidates as part of the Constitutional Convention. It is a separate issue. I have replied to Deputy Higgins and to Deputy Ó Snodaigh that we have an open mind on whether there is a role for citizens in a popular nomination of a presidential candidate, based on signatories. We are not ruling it out. In the event that the people will subscribe to the view that we need a unicameral Parliament rather than a bicameral Parliament, we propose to reduce the number of nominating Members to 14. I think Deputy Kelleher misinterpreted the situation completely in his contribution when he said that Fianna Fáil, with 19 Members, would not have an opportunity-----

**Deputy Michael Healy-Rae:** That is not what he said.

30 January 2008

**Deputy Phil Hogan:** That is what he said.

**An Ceann Comhairle:** Through the Chair, please.

**Deputy Phil Hogan:** I did not interrupt Deputy Healy Rae.

**An Ceann Comhairle:** Please proceed, Minister.

**Deputy Phil Hogan:** We have to pick a figure that is in proportion and in ratio to the existing number of Members.

**Deputy Barry Cowen:** Will the Minister respond to my comments? Does he wish to elaborate on or to answer any of my questions about the manner in which this Bill is being dealt with in the House?

**An Ceann Comhairle:** That is not a matter dealing with the amendment under discussion.

Cuireadh an cheist, “Go bhfanfaidh na focail a thairgtear a scriosadh”, agus faisnéiseadh go rabhthas tar éis glacadh léi.

Question, “That the words proposed to be deleted stand”, put and declared carried.

Faisnéiseadh go rabhthas tar éis diúltú don leasú.

Amendment declared lost.

**Deputy Joe Higgins:** There was silence on that side.

**An Ceann Comhairle:** Amendments Nos. 11 and 12 are out of order.

Níor tairgeadh leasuithe uimh. 11 agus 12.

Amendments Nos. 11 and 12 not moved.

**Deputy Catherine Murphy:** Tairgim leasú a 13:

I gCuid 1, leathanach 13, líne 47, “tríocha” a scriosadh agus “caoga” a chur ina ionad.  
agus

I gCuid 2, leathanach 33, líne 32, “thirty” a scriosadh agus “fifty” a chur ina ionad.

I move amendment No. 13:

In Part 1, page 12, line 48, to delete “tríocha” and substitute “caoga”.

and

In Part 2, page 32, line 34, to delete “thirty” and substitute “fifty”.

This amendment refers to impeachment of a President. The point of tabling these amendments was to demonstrate that certain deletions were beyond the proposal for the abolition of the Seanad as people strictly understand it. There is a world of difference between 30 Members in the Seanad or 30 Members in the Dáil being enabled to do that. In my view that number should be increased as a safeguard. These safeguards were included for very good reason. For

example, in a Yeats poem, every dot and comma has a purpose and it is the same for the Constitution which must be read in harmony.

Amendment No. 14 proposes to delete Article 27 which received some attention at the weekend. My amendment No. 15 also proposes a safeguard. This Government would not even have to rely on agreement from the Opposition as it would have sufficient numbers to remove a High Court judge because two thirds is lower than the number of Government Deputies. We are supposed to protect the separation of powers. There is a risk in not looking in considerable detail at the kind of consequences and the kind of safeguards we should consider in the context of the abolition of the Seanad.

I supported Second Stage of this Bill. I agree with a unicameral system in the context of proper Dáil reform and a decent local government system. The problem is we are putting the cart before the horse all the time and we are not considering adequately the kinds of safeguards that were thought out in considerable detail back in 1937. There are things in the Constitution which I would prefer were not there or which I would prefer were in a different form. I would prefer if other things were included. However, if we propose to change the Constitution, the proposed change must be given the kind of consideration it deserves. It is offensive that tonight we are taking a cursory glance at a few amendments. Other amendments have been ruled out of order and the Bill did not receive anything like the necessary scrutiny. I think the referendum will pass but note should have been taken of the approach in the debate on the inquiries referendum legislation in the House. The Government has not learned the lesson. It is taking a cavalier approach to the Dáil and the Constitution.

**An Ceann Comhairle:** Ós rud é go bhfuil sé leathuair tar éis a deich, ní foláir dom an cheist seo a leanas a chur de réir Ordú an lae seo ón Dáil: “Go n-aontaítear leis seo i gCoiste ó ailt 1 go dtí ailt 5, go huile, Sceideal 3 agus Sceideal 4, an Réamhrá agus an Teideal agus go dtuairiscítear an Bille gan leasú don Teach dá réir sin; go gcríochnaítear leis seo an Ceathrú Céim; agus go ndéantar leis seo an Bille a rith.”

As it is now 10.30 p.m., I am required to put the following question in accordance with an Order of the Dáil of this day: “That sections 1 to 5, inclusive, Schedules 3 and 4, the Preamble and the Title are hereby agreed to and the Bill is reported to the House without amendment, that Fourth Stage is hereby completed and that the Bill is hereby passed.”

Cuireadh an cheist.

Question put:

<i>The Dáil divided: Tá, 88; Níl, 30.</i>	
<i>Tá</i>	<i>Níl</i>
<i>Bannon, James.</i>	<i>Adams, Gerry.</i>
<i>Boyd Barrett, Richard.</i>	<i>Browne, John.</i>
<i>Breen, Pat.</i>	<i>Collins, Niall.</i>
<i>Broughan, Thomas P.</i>	<i>Colreavy, Michael.</i>
<i>Bruton, Richard.</i>	<i>Cowen, Barry.</i>
<i>Butler, Ray.</i>	<i>Crowe, Seán.</i>
<i>Buttimer, Jerry.</i>	<i>Doherty, Pearse.</i>
<i>Byrne, Catherine.</i>	<i>Dooley, Timmy.</i>

<i>Byrne, Eric.</i>	<i>Ellis, Dessie.</i>
<i>Carey, Joe.</i>	<i>Ferris, Martin.</i>
<i>Coffey, Paudie.</i>	<i>Grealish, Noel.</i>
<i>Collins, Áine.</i>	<i>Healy-Rae, Michael.</i>
<i>Collins, Joan.</i>	<i>Kelleher, Billy.</i>
<i>Conaghan, Michael.</i>	<i>Kitt, Michael P.</i>
<i>Conlan, Seán.</i>	<i>Mac Lochlainn, Pádraig.</i>
<i>Connaughton, Paul J.</i>	<i>Martin, Micheál.</i>
<i>Conway, Ciara.</i>	<i>McConalogue, Charlie.</i>
<i>Coonan, Noel.</i>	<i>McGrath, Finian.</i>
<i>Corcoran Kennedy, Marcella.</i>	<i>McGrath, Mattie.</i>
<i>Costello, Joe.</i>	<i>McLellan, Sandra.</i>
<i>Creed, Michael.</i>	<i>Moynihan, Michael.</i>
<i>Daly, Jim.</i>	<i>Ó Caoláin, Caoimhghín.</i>
<i>Deasy, John.</i>	<i>Ó Fearghail, Seán.</i>
<i>Deenihan, Jimmy.</i>	<i>Ó Snodaigh, Aengus.</i>
<i>Deering, Pat.</i>	<i>O'Brien, Jonathan.</i>
<i>Donohoe, Paschal.</i>	<i>Pringle, Thomas.</i>
<i>Dowds, Robert.</i>	<i>Ross, Shane.</i>
<i>Doyle, Andrew.</i>	<i>Smith, Brendan.</i>
<i>Durkan, Bernard J.</i>	<i>Stanley, Brian.</i>
<i>English, Damien.</i>	<i>Tóibín, Peadar.</i>
<i>Farrell, Alan.</i>	
<i>Feighan, Frank.</i>	
<i>Ferris, Anne.</i>	
<i>Fitzgerald, Frances.</i>	
<i>Fitzpatrick, Peter.</i>	
<i>Flanagan, Luke 'Ming'.</i>	
<i>Flanagan, Terence.</i>	
<i>Griffin, Brendan.</i>	
<i>Halligan, John.</i>	
<i>Hannigan, Dominic.</i>	
<i>Harrington, Noel.</i>	
<i>Harris, Simon.</i>	
<i>Healy, Seamus.</i>	
<i>Heydon, Martin.</i>	
<i>Higgins, Joe.</i>	
<i>Hogan, Phil.</i>	
<i>Howlin, Brendan.</i>	
<i>Humphreys, Heather.</i>	
<i>Humphreys, Kevin.</i>	
<i>Keating, Derek.</i>	
<i>Kehoe, Paul.</i>	

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<i>Kelly, Alan.</i>	
<i>Kenny, Seán.</i>	
<i>Kyne, Seán.</i>	
<i>Lawlor, Anthony.</i>	
<i>Lynch, Kathleen.</i>	
<i>Lyons, John.</i>	
<i>Maloney, Eamonn.</i>	
<i>Mathews, Peter.</i>	
<i>McCarthy, Michael.</i>	
<i>McEntee, Helen.</i>	
<i>McHugh, Joe.</i>	
<i>McLoughlin, Tony.</i>	
<i>Mitchell, Olivia.</i>	
<i>Mitchell O'Connor, Mary.</i>	
<i>Mulherin, Michelle.</i>	
<i>Murphy, Catherine.</i>	
<i>Naughten, Denis.</i>	
<i>Neville, Dan.</i>	
<i>Noonan, Michael.</i>	
<i>Nulty, Patrick.</i>	
<i>O'Donovan, Patrick.</i>	
<i>O'Sullivan, Jan.</i>	
<i>Perry, John.</i>	
<i>Phelan, Ann.</i>	
<i>Reilly, James.</i>	
<i>Ryan, Brendan.</i>	
<i>Shatter, Alan.</i>	
<i>Sherlock, Sean.</i>	
<i>Shortall, Róisín.</i>	
<i>Spring, Arthur.</i>	
<i>Stagg, Emmet.</i>	
<i>Stanton, David.</i>	
<i>Tuffy, Joanna.</i>	
<i>Varadkar, Leo.</i>	
<i>Wall, Jack.</i>	
<i>Wallace, Mick.</i>	
<i>Walsh, Brian.</i>	

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

Question declared carried.

Faisnéiseadh go rabhthas tar éis glacadh leis an gceist

**Ráiteas mar Fhaisnéis do Vótálaithe i ndáil leis an mBille um an Dara Leasú is Tríocha ar an mBunreacht (Deireadh a Chur le Seanad Éireann) 2013: Tairiscint**

**Statement for the Information of Voters in relation to the Thirty-second Amendment of the Constitution (Abolition of Seanad Éireann) Bill 2013: Motion**

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** Tairgim:

“GO ndéanfar an ráiteas atá leagtha amach sa Sceideal a ghabhann leis an Rún seo a fhorordú mar fhaisnéis do vótálaithe, de bhun alt 23 d’Acht an Reifrinn, 1994 (Uimh. 12 de 1994), i ndáil leis an togra chun an Bunreacht a leasú chun deireadh a chur le Seanad Éireann agus chun foráil a dhéanamh gurb iad an tUachtarán agus Dáil Éireann a bheidh san Oireachtas ón data a chuirfear deireadh le Seanad Éireann agus, de dhroim an mhéid sin roimhe seo, chun an Bunreacht a leasú thairis sin agus, go háirithe, chun leasú a dhéanamh ar na forálacha sin de lena dtugtar feidhmeanna do Sheanad Éireann nó atá bunaithe ar an Teach sin a bheidh ann, ar togra é atá ar áireamh sa Bhille um an Dara Leasú is Tríocha ar an mBunreacht (Deireadh a Chur le Seanad Éireann), 2013, agus is ábhar do reifreann bunreachta.

An Sceideal

Fiafraítear díot an aontaíonn tú leis an togra chun an Bunreacht a leasú chun deireadh a chur le Seanad Éireann, chun foráil a dhéanamh gurb iad an tUachtarán agus Dáil Éireann a bheidh san Oireachtas ón data a chuirfear deireadh le Seanad Éireann, agus chun leasú a dhéanamh ar fhorálacha eile den Bhunreacht lena dtugtar feidhmeanna do Sheanad Éireann nó atá bunaithe ar Sheanad Éireann a bheidh ann.

MÁ THOILÍONN TÚ leis an togra, cuir X os coinne an fhocail TÁ ar an bpáipéar ballóide.

MURA dTOILÍONN TÚ leis an togra, cuir X os coinne an fhocail NÍL ar an bpáipéar ballóide.

I move:

“THAT the statement set out in the Schedule to this Resolution be prescribed for the information of voters, pursuant to section 23 of the Referendum Act 1994 (No. 12 of 1994), in relation to the proposal to amend the Constitution for the purpose of abolishing Seanad Éireann and providing that the Oireachtas shall, from the date of such abolition, consist of the President and Dáil Éireann and in consequence of the foregoing, to amend otherwise the Constitution and, in particular, to amend those provisions of it that confer functions on Seanad Éireann or that are premised on the existence of that House, which is contained in

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the Thirtysecond Amendment of the Constitution (Abolition of Seanad Éireann) Bill 2013 and is the subject of a constitutional referendum.

Schedule

You are being asked if you agree with the proposal to amend the Constitution to abolish Seanad Éireann, to provide that from the date of such abolition the Oireachtas shall consist of the President and Dáil Éireann, and to amend other provisions of the Constitution that confer functions on Seanad Éireann or that are premised on the existence of Seanad Éireann.

IF YOU APPROVE of the proposal, mark X opposite the word YES on the ballot paper.

IF YOU DO NOT APPROVE of the proposal, mark X opposite the word NO on the ballot paper.”

Cuireadh agus aontaíodh an cheist.

Question put and agreed to.

The Dáil adjourned at 10.46 p.m. until 10.30 a.m. on Wednesday, 26 June 2013.