

Written Answers.

The following are questions tabled by Members for written response and the ministerial replies as received on the day from the Departments [unrevised].

Questions Nos. 1 to 8, inclusive answered orally.

Care Services

9. **Deputy Dessie Ellis** asked the Minister for Children and Youth Affairs if she will review the case of a person (details supplied) in County Meath; and if she will make a statement on the matter. [32590/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): Section 45 of the Child Care Act 1991 places a statutory duty on the HSE to form a view in relation to each person leaving care as to whether there is a “need for assistance” and if it forms such a view, to provide services in accordance with the legislation and subject to resources. All young people who have had a care history with the HSE, be it foster care, residential care or high support, are entitled to an aftercare service based on their assessed needs. The length of time an aftercare service is provided is dependent upon the assessed needs of the young person, but is generally provided for up to the age of 21 years or 23 years if the young person is in education.

As regards the young person referred to in the Deputy’s question, I asked the HSE to investigate the case last month, following receipt of representations on the matter. The HSE has advised me that the young person in question reached the age of 18 in February 2012 and the full fostering allowance continued until they completed school in June 2012. The young person commenced a full time course for the academic year 2012/2013 and is in receipt of disability benefit from the Department of Social Protection and a pro-rata fostering allowance also issues from the HSE. The young person continues to retain a combined yearly financial support package of €18,304 from the HSE and the Department of Social Protection.

Question No. 10 answered with Question No. 8.

Children in Care

11. **Deputy Pearse Doherty** asked the Minister for Children and Youth Affairs the number of children in care who now have an allocated social worker; and if she will make a statement on the matter. [32601/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The HSE compiles monthly performance reports which include statistics in relation to children in care. These reports are published on the HSE website. The latest published report shows that there were 6,421 children in the care of the HSE in April 2013, of which 5,932 children had an allocated

social worker. This is compared to 5,700 in March 2011.

It is important to note the dynamic nature of children entering and leaving care. The HSE Review of Adequacy for HSE Children and Families Services 2011 showed that 36.7% of children admitted to care during 2011 were also discharged within the year. The Review also showed that there were over 2,000 admissions to care in each of the years, 2009 to 2011.

Latest figures from the HSE indicate that there are currently 1,390 WTE (whole time equivalent) social workers in child and family services. This includes all 270 additional social workers recruited in line with the detailed recommendation of the Ryan Report Implementation Plan 2009. The recruitment of these posts was completed in full by this Government and these posts were not subject to the public service recruitment moratorium. Social work figures are consistently in flux with vacancies arising due to maternity leave, career breaks, etc. However this Government is overseeing an ongoing programme of active recruitment to fill vacancies. 94 vacancies have recently been filled with a further 81 currently being filled.

Child Care Services Regulation

12. **Deputy Dara Calleary** asked the Minister for Children and Youth Affairs her plans to improve the regulation of childminders; and if she will make a statement on the matter. [32552/13]

13. **Deputy Timmy Dooley** asked the Minister for Children and Youth Affairs her plans to introduce regulation for afterschool child care services; and if she will make a statement on the matter. [32566/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I propose to take Questions Nos. 12 and 13 together.

Preschool services are subject to the Child Care (Preschool Services) (No.2) Regulations 2006, as provided for under Part VII of the Child Care Act 1991. The inspection of preschools and the enforcement of the Regulations are the responsibility of the Health Service Executive (HSE).

At present childminders taking care of more than three preschool children from different families, and after-school care for children, are not subject to the Child Care Regulations. These are issues which I am reviewing and will consider further in the coming months in the context of both the Early Years Strategy, which is being developed by my Department, and other amendments to the Child Care Act 1991 which are being considered.

Childminders who are not subject to the Childcare Regulations are encouraged to voluntarily notify their service to their local City or County Childcare Committee. Both notified and voluntarily notified childminders can avail of the Childminders Tax Exemption which exempts child minding earnings of up to €15,000 from income tax. While my Department continues to actively promote the notification of child minding services and the participation of childminders in quality and training programmes, it is not in a position to prevent parents from entering into informal arrangements with childminders who are outside the scope of the Regulations.

One of the specific issues of policy which I have identified for consideration in the preparation of Ireland's first ever Early Years Strategy for children aged from birth to 6 years, is the future role and regulation of the child minding sector. I expect work on the Strategy to be completed later this year and I will review the future regulation of childminders in that context.

My Department is currently piloting a new School Age Childcare scheme in conjunction with the Department of Social Protection. When fully operational, the scheme will provide 6,000 subsidised, after-school places for primary school children, to assist qualifying parents to avail of employment opportunities. Eligibility for the scheme will be determined by the Department of Social Protection. Parents qualifying under the scheme will be able to access after school childcare at a weekly cost of €20. My Department will subsidise each of these places with weekly payments of €35 during term time and €100 in school holidays. Pending any change to the Child Care Act 1991 to extend regulatory control to after-school childcare, all services participating in the scheme will be subject to strict contractual requirements drawn up by my Department and monitored by Pobal.

Question No. 14 answered with Question No. 10.

Adoption Records Provision

15. **Deputy Clare Daly** asked the Minister for Children and Youth Affairs the resources that are available to the Health Service Executive in managing and sorting the adoption files which are being stored in Glanmire, County Cork; and who people can contact if they need to access information from within. [32355/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): Approximately 25,000 files have been transferred to the HSE Regional Adoption Service in Cork, from the Sacred Heart Adoption Society, which had responsibility for Bessboro, Co Cork, Sean Ross Abbey, Roscrea, Co Tipperary and Castlepollard, Co Westmeath. I am advised by the HSE that there has been very significant demand to access these files and consequently the HSE Regional Adoption Service in Cork has not been able to respond as quickly as would have been hoped.

In parallel with facilitating such access, work by the HSE on the organising and storage of these files has taken place and planning is underway for reorganising the approach to dealing with information requests to improve access.

Files in relation to Bessboro will continue to be managed by the HSE Regional Adoption Services in Cork. The HSE intends to transfer files in relation to the other two centres to other HSE regional adoption services to address service pressures in the Regional Adoption Service in Cork and facilitate those wishing to access information in relation to these files. In the meantime the HSE, in some instances, may refer individual applicants to their appropriate HSE Adoption services in the areas the applicant is now resident in order to assist in responding to queries.

I am advised by the HSE that in parallel with facilitating such access there has been very significant demand to access files and consequently the HSE Regional Adoption Service in Cork has not been able to respond as quickly as would have been hoped.

At present, the Regional Adoption Service in Cork provides a system for clients of these mother and baby homes which affords them an opportunity to meet with a Social Worker as a first step in commencing the tracing process. This service will continue to be provided by HSE Regional Adoption Services in Cork until the files and responsibility for providing assistance transfers to other regions.

Queries can be directed to the Principal Social Worker, HSE South, Regional Adoption Service, Páirc na gCrann, St. Stephen's Hospital, Sarsfield Court, Glanmire, Co. Cork (telephone 021-4858650).

After-School Support Services

16. **Deputy Brian Stanley** asked the Minister for Children and Youth Affairs the steps she will take to address the lack of availability of after-school services for children; and if she will make a statement on the matter. [32600/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): As part of Budget 2013 I, together with my colleague, the Minister for Social Protection, was pleased to announce a new After-school Childcare initiative which will be targeted at low-income parents availing of employment opportunities. Lack of access to affordable, quality childcare is a significant barrier to many low income and disadvantaged families seeking to avail of work opportunities. This initiative will provide an important support measure to enable parents to avail of job opportunities. This is in line with the Government's overall strategy to support parents of low income families to take up employment and demonstrates how Departments are working together to deliver the Government's agenda on promoting employment and supporting children's development.

The initiative is expected to receive full year funding of €14 million to provide over 6,000 after-school places for children attending primary school in order to support parents to take up employment. This funding has been made possible through savings from the Vote of the Department of Social Protection.

Eligibility for the new After-school Childcare programme is determined by the Department of Social Protection. Officials from the Department of Social Protection and my Department are continuing in close collaboration on the operation of the programme. The pilot phase of the programme has commenced and this will assist both Departments in determining the procedural, quality and practical issues that require attention prior to the finalisation of the programme. Up to 500 childcare places are available with Department of Social Protection local offices in Tralee, Mullingar, Dundalk, Cork City, Finglas, Kings Inn and Limerick City participating. The full roll-out of the programme will commence in September 2013, to coincide with the new school year.

The programme will provide €35 per week per child enrolled in a participating service for after school services and this payment will rise to €100 per week during holiday periods when parents will be availing of full day care. A further €20 per week will be paid by the parent to the provider in both instances.

The new After-school Childcare programme will further augment my Department's programme of childcare supports for low income families. These include the Community Childcare Subvention (CCS) and the Childcare Education and Training Support (CETS) programmes, both of which provide subsidised childcare for low income parents, including qualifying parents who are on approved VEC and FÁS education and training courses. The CCS programme provides funding to community childcare services to enable them to provide a range of supports including funding towards the provision of after-school services.

In 2013, my Department expects to spend in the region of €70 million on the CCS and CETS programmes, supporting over 30,000 childcare places.

Aftercare Services

17. **Deputy Brian Stanley** asked the Minister for Children and Youth Affairs the number of young persons who have left care during each of the past eight years. [32587/13]

22. **Deputy Michael Colreavy** asked the Minister for Children and Youth Affairs the number of young persons who were in receipt of an aftercare service during each of the past eight years. [32588/13]

34. **Deputy Martin Ferris** asked the Minister for Children and Youth Affairs the number of young persons who received an aftercare service while in full-time education during each of the past eight years. [32589/13]

49. **Deputy Sandra McLellan** asked the Minister for Children and Youth Affairs the number of children during each month of 2012 and 2013 between the ages of 18 and 21 years who were in receipt of aftercare services broken down by gender; and the number of young persons broken down by gender during each of those same months who were receiving a service and details of what receiving a service means, including any provision of financial support, education supports, accommodation, or emotional supports. [32586/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I propose to take Questions Nos. 17, 22, 34 and 49 together.

I am advised by the HSE that data for discharges from care is not available prior to 2012. In 2012, I am advised that 1,559 children aged 0-18 years were discharged from care. A total of 327 children aged 0-17 years were discharged from care up to the end of March 2013. The figure includes children of all ages who were discharged from care. The HSE Review of Adequacy Report for 2011 states that approximately 37% of new admissions to care during the year had been discharged from care within the year.

The HSE compiles performance reports which include statistics in relation to children in care. These reports are published on the HSE website. Information in relation to aftercare services is published quarterly. The latest published report for March 2013 shows that there were 1,149 young adults aged 18-21 years in receipt of an aftercare service, 604 of whom were in full time education.

The HSE has also informed me that 1427 young people over the age of 18 years - 674 males and 753 females were in receipt of an aftercare service at the end of March 2013. This number differs from that published in the performance reports, as it would include young people over 21 years of age who were in receipt of a service.

Information for 2012 is as follows-

- In December 2012, 1,073 young adults were in receipt of an aftercare service, 599 of whom were in full time education;

- In September 2012, 1,101 young adults were in receipt of an aftercare service, 596 of whom were in full time education.

- In June 2012, 1,053 young adults were in receipt of an aftercare service, 614 of whom were in full time education.

- In March 2012, 1,123 young adults were in receipt of an aftercare service, 642 of whom were in full time education.

I have requested a breakdown by gender of these numbers for 2012 and will arrange to forward same to the Deputy when it is available.

The HSE has provided further information in relation to previous years-

- In 2011, 1,213 young adults were in receipt of an aftercare service, 770 of whom were in

education or training

- In 2010, 1,046 young adults were in receipt of an aftercare service, 774 of whom were in education or training

- In 2009, 847 young adults were in receipt of an aftercare service, 587 of whom were in education or training

- In 2008, 979 young adults were in receipt of an aftercare service, 673 of whom were in education or training

- In 2007, 1,051 young adults were in receipt of an aftercare service, 674 of whom were in education or training

- In 2006, 810 young adults were in receipt of an aftercare service, 531 of whom were in education or training

The HSE National Aftercare Service is underpinned by a National Policy and Procedures Document which was developed in cooperation with the key stakeholders, including the voluntary sector agencies representing children in care and those involved in aftercare provision and my Department. The policy commits to promoting and achieving the best outcomes for young people leaving care and in ensuring consistency of support to these young people.

An intra-agency National Aftercare Implementation Group, comprised of NGO groups representing aftercare, child advocacy, foster care and other groups, was established by the HSE to monitor progress in implementing the national policy. This group aims to provide a standard, intra and inter-agency approach to the delivery of aftercare services in partnership with the wider voluntary and statutory sector. Given the particular difficulties for some young people leaving care in areas of mental health and disability, the aftercare policy has a strong multi-agency dimension. The Implementation Group is developing protocols with Social Inclusion, Disability Services, Mental Health Services and Primary Care in the HSE and the Department of the Environment, Community and Local Government regarding housing to support this approach. A protocol has already been signed with the Irish Youth Justice Service which covers joint working arrangements for young people in Detention Schools.

Child and Family Support Agency Establishment

18. **Deputy Sandra McLellan** asked the Minister for Children and Youth Affairs if the required legislation for the establishment of the new child and family agency will be published in early July and will commence its address in the Dáil before the impending summer recess; and if she will make a statement on the matter. [32585/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): Following a Government decision on the Heads of Child and Family Agency Bill in November last, work on the drafting of the Bill has been progressing in conjunction with the Office of Parliamentary Counsel and is at an advanced stage of preparation.

The establishment of the Child and Family Agency is central to the Government's reform programme in respect of child and family services. From its establishment the Agency will have service responsibility for Child welfare and protection services currently operated by the HSE including family support and alternative care services; Child and family-related services for which the HSE currently has responsibility including preschool inspections and domestic, sexual and gender-based violence services; The Family Support Agency which currently oper-

ates as a separate body under the Department of Children and Youth Affairs and will be merged into the new Agency; The National Educational Welfare Board which also currently operates as a separate body under the Department of Children and Youth Affairs and will be merged into the new Agency; Community-based psychology services (this does not encompass psychologists operating within acute, disability, mental health or other specialist settings).

The Child and Family Agency Bill will largely focus on the technical task of bringing together the functions of the three “source” agencies (the HSE, the Family Support Agency and the National Educational Welfare Board). Particular care is required in respect of the disaggregation of the functions from the HSE to ensure that there are no unintended consequences (for either the Agency or the Directorates remaining within the HSE framework) in the separation of functions, either in legal terms, or in terms of the practical operation of day-to-day services for children and their families or HSE clients across the life cycle.

A key task in drafting the legislation is to ensure that the Agency operates within a strong framework of public accountability. Other important features of the legislation relate to the need to create the correct platform for inter-agency arrangements, shared service arrangements and a robust process for the commissioning of services from a range of providers.

It is my intention to introduce the Bill to the Houses of the Oireachtas in this current session. When enacted the legislation will allow the Agency to assume full statutory responsibility for services for children and families, and to bring further cohesion to how these essential services are delivered.

Question No. 19 answered with Question No. 8.

EU Presidency Issues

20. **Deputy Mary Lou McDonald** asked the Minister for Children and Youth Affairs if she will provide a report of her Department’s activities as part of the recent Presidency of the EU; and if she will make a statement on the matter. [32602/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): My Department led the work of the Council of Ministers for Youth during Ireland’s Presidency of the EU from January to June 2013.

The ambitious programme of work focussed on the social inclusion of young people which is the Trio Presidency theme (January 2013 – June 2014). My priorities related to the contribution of quality youth work to young people’s development, well-being and social inclusion and the potential contribution of youth work to youth employment.

Council Conclusions, adopted by the Education, Youth, Culture and Sport Council on 16 May 2013 propose actions that will maximise the potential of youth policy in addressing the goals of Europe 2020. A second set of Conclusions, also adopted, highlights the importance of quality youth work as a tool for engagement with, and development of, young people.

These conclusions include a concrete set of measures aimed at raising the profile of youth work at EU level and mainstreaming youth work into broader EU policy responses to youth employment and social inclusions. These include establishing a new EU expert group on quality youth work; strengthening the working relationship between the Council of Ministers and other Council of Minister configurations; mainstreaming youth policy input into the European Semester reporting process; recognition of centrality of youth work in contributing to the Europe 2020 growth and jobs agenda; recognition of the role of youth work in implementing the

Youth Guarantee; greater coordination between EU youth policy and education, training and employment policies.

As a follow-up to these Conclusions, I hosted a two day informal expert roundtable on 20 and 21 June which considered the contribution of youth work to youth employment. The outcome of the meeting, the Dublin Declaration, recognises the challenges facing young people in Europe as a result of the lack of jobs and work experience, as well as the challenges posed by the widening gap between skills being sought by certain employers and those held by many prospective employees. It also recognises that youth work can play a highly-relevant role in developing young people's skill-sets, in particular with respect to 'soft' skills such as learning to learn, social and civic competence, leadership, communication, teamwork, and entrepreneurship – all of which are highly-valued and sought-after by employers. The Declaration in particular notes the centrality of the role of quality youth work in the implementation of the Youth Guarantee by Member States.

The EU Youth Council's work programme under Ireland's Presidency was informed by the findings of widespread consultations with young people. Over 11,000 young people and youth organisations throughout Member States participated in consultations across Europe on the theme of Social Inclusion.

The EU Youth Conference which I hosted in Dublin on 11-12 March 2013 was a flagship event of Ireland's Presidency Programme. Almost 250 people from across the EU attended the Conference, including 109 young people and youth representatives and 65 Ministry officials participating in workshops. The Conference was organised by my Department in partnership with the National Youth Council of Ireland (NYCI). It was a major opportunity to showcase the talent and innovation of Ireland's young people and the youth sector. Almost 100 young people were involved in supporting the Conference. They acted as volunteers and took on roles as guest MCs and speakers, and provided inputs through Arts and Drama presentations. Over the three days, some 25 information stands showcased the work underway in youth programmes in communities throughout the country.

The conclusions from this Conference informed Youth Ministers' deliberations on quality youth work and will inform the structured dialogue consultations with young people during the Lithuanian and Greek Presidencies. The meeting of the Directors General for Youth hosted by my Department alongside the Conference explored the personal, social and economic impact of youth work.

The work undertaken under Ireland's Presidency including the conclusions of the Ministers and the outcome of the expert group meeting provide the basis for an ambitious agenda which offers the potential to greatly enrich the European Union's policy responses in the area supporting youth employment, in particular with respect to the potential of non-formal learning to reach out to those young people not in education, training and employment. My Department will continue to work with the Departments of Education, Social Protection, Jobs, Enterprise and Innovation, to identify, in what ways, the youth sector can contribute to shared policy objectives to address youth employment and with European colleagues to progress this important agenda for Europe's young people.

Also, as an associated Presidency event, I was pleased to support a conference on LGBT Youth and Social Inclusion which held in Croke Park on 17 June 2013. This event which was organised by BeLonG To brought together the main EU institutions and LGBT groups from Europe to discuss the areas of LGBT youth and education, employment, participation and rights and youth services. The conference was developed following findings from a Europe-wide consultation under the Irish Presidency which identified LGBT youth as one of the most so-

cially excluded groups in Europe.

In the context of Ireland's Presidency, I should also note that I addressed the Confederation of Family Organisations of the European Union (COFACE) at their European Conference held in Dublin Castle in February to mark Ireland's EU Presidency. The Conference was brought to Dublin by the Irish Countrywomen's Association who are members of COFACE and was supported by the Department of Children and Youth Affairs. The conference theme was "Vulnerable Families - What can Europe Do?".

As part of my Department's EU Presidency programme I also launched the UNICEF Report Card in the Royal Hospital, Kilmainham, Dublin in April. Following the launch I hosted a high-level EU roundtable discussion on "Moving forward to promote children's well-being".

Child Abuse Reports

21. **Deputy Clare Daly** asked the Minister for Children and Youth Affairs when allegations of abuse in crèche and preschool facilities were first brought to her attention and the steps she took to deal with the matter. [32345/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): My Department was first contacted by the "Prime Time" investigation programme on crèches on 20 February 2013 seeking information on the National Childcare Investment Programme which was implemented during 2006 to 2011. I understand a number of follow on queries regarding funding were received by my Department between then and 28 May. I was also aware around that time that RTE was planning to feature the area of childcare in a Primetime programme to be broadcast in May. I was not informed of the nature of the broadcast planned and I did not see any of the film footage until it was broadcast by RTE. As a result, I was unaware of the specific incidents until they were shown.

I understand that officials in the Health Service Executive (HSE) received separate complaints in relation to the services filmed for the Primetime programme but that there was no indication that these were linked to one another or to the forthcoming Primetime programme. The HSE responded to these complaints by commencing an investigation. I also understand that the HSE was shown some of the film footage in the days before it was broadcast and immediately went to the Garda who initiated the investigation which is now taking place.

I have already expressed my shock and distress at the scenes broadcast on this Primetime programme. I am working closely with the HSE to progress a number of immediate actions to strengthen the current inspection process. I am also continuing to work on a number of fronts to drive the quality agenda for preschool services, including increasing the qualification requirements for staff working in preschool services and increasing the supports available to services to implement the Síolta and Aistear quality frameworks.

Question No. 22 answered with Question No. 17.

Childhood Obesity

23. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Children and Youth Affairs her plans for a national cross-sectoral strategy for the establishment of a childhood obesity prevention and intervention service; and if she will make a statement on the matter. [32578/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The Govern-

ment shares with many other agencies and professional groups, concerns about the growth and nutrition of children and teenagers. The factors associated with overweight and obesity in Irish children is complex and research suggests that a multidimensional approach is needed which crosses government departments and agencies and involves children and families and community organisations working with statutory and voluntary sector.

Obesity - the policy challenges: The report of the National Taskforce on Obesity was published by the Department of Health in 2005 and remains the guided document for work in this area. My colleague the Minister for Health, has established a Special Advisory Group on Obesity to advise on implementation of the report and this group has representation from my own Department. One of their current projects involves a media campaign on preventing childhood obesity developed with Safe Food, the HSE, the Department of Health and my own Department, which is scheduled to take place in the autumn. Other work of the group includes technical support for providing calorie content information for small restaurant / coffee shop owners, to facilitate young people in making health choices.

It is widely accepted by researchers that there is a strong link between physical activity and being overweight, habits formed in youth tend to carry into adulthood. The Growing Up in Ireland study also clearly confirms this finding. Young people who took more exercise were less likely to be overweight or obese, especially in comparison to those who never exercised.

As Minister for Children and Youth Affairs I have responsibility for Play and Recreation Policy which have been set out in the policy documents, 'Ready, Steady, Play! A National Play Policy' and the 'National Recreation Policy for Young People', which seeks to actively promote the participation of children and young people in play and exercise, which is an effective way of helping them maintain a healthy weight.

In February 2012, I established the Local Authority Play and Recreation Network (LAPRN). This national network has been established to introduce a more coordinated and interagency approach to achieving the main goals of the play and recreation policies at both national and local level. An early achievement of the network has been the development and expansion of **National Recreation Week** which took place recently and National Play Day which is due to take place this month. Targeted grants are provided to Local Authorities by my Department to encourage participation across the Local Authority Network. This year saw the largest ever participation with all counties staging popular events.

Child Poverty

24. **Deputy Jonathan O'Brien** asked the Minister for Children and Youth Affairs if she will set out and provide details on the process for the selection of the sites, programmes, interventions, and supports to be provided under the new area based approach to the child poverty initiative in 2013. [32593/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): My Department is implementing the new Area-Based Response to Child Poverty programme which was announced as part of Budget 2013. The programme is being co-funded by The Atlantic Philanthropies and is expected to have a total funding allocation of €29.7 million. The programme is being introduced on foot of the Programme for Government commitment to adopt an area-based approach to child poverty, drawing on best international practice and existing services to break the cycle of child poverty where it is most deeply entrenched and improve the outcomes for children and young people. The programme will build on and continue much of the work of the Prevention and Early Intervention Programme (PEIP) which was also implemented by my

Department and co-funded by The Atlantic Philanthropies.

The three existing PEIP sites and at least three additional sites are expected to participate in the new programme. In addition, it is my intention to broaden the impact of the programme by beginning the process of mainstreaming some of the evidence-based programmes which have been positively evaluated and are cost-effective. The establishment of my Department's new Child and Family Agency later this year will be important to this process.

Applications to participate in the programme were invited from interested not for profit consortia earlier this year. The closing date for receipt of applications was 31 May and fifty applications were received. The current priority has been to transition appropriate activities funded under PEIP into the new initiative, and this has been progressed as a matter of urgency. It is hoped that agreement will be reached with the 3 sites concerned shortly regarding their initial activities and funding under the programme. It is hoped that this will be approved by Government later this month.

Twenty six further applications have been prioritised for evaluation based primarily on the level of disadvantage in their areas, and also the child population expected to be impacted, and these will be evaluated in the period July-September by a Working Group led by my Department, using criteria set out in the application process. An Interdepartmental Project Team, chaired by my Department, will consider these applications, and make proposals to Government in October for funding under Phase 1 of the initiative.

The remaining twenty-one proposals will be evaluated in the period October 2013 - January 2014, and where appropriate, good proposals made in this cohort, along with any good proposals which narrowly missed funding under Phase 1, will be considered for funding under Phase 2 of the initiative.

Early Child Care Education Issues

25. **Deputy Michael Moynihan** asked the Minister for Children and Youth Affairs when the early years strategy will be brought forward; the reason for the delay in this happening; the financial package that will accompany same; and if she will make a statement on the matter. [32572/13]

32. **Deputy Billy Kelleher** asked the Minister for Children and Youth Affairs the part the implementation of the Education for Persons with Special Educational Needs Act 2004 will play in the early years strategy; and if she will make a statement on the matter. [32574/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I propose to take Questions Nos. 25 and 32 together.

My Department is currently developing a new Children and Young People's Policy Framework which will set out high level goals for both my own and other Departments for the next five years. The Policy Framework is expected to be published later this year and will build on Our Children - Their Lives, Ireland's first Children's Strategy which was published in 2000. This is relevant to the Early Years Strategy as the Strategy is one of three, more detailed strategies which will be developed under the Framework.

The Early Years Strategy, which will be Ireland's first ever national strategy for early years, is under development. It is expected that it will cover a range of issues affecting children in their first years of life such as child health and well-being, parenting and family support, learning and development, play and recreation and early childhood care and education. The Strategy

will further recognise the economic imperative and benefits accruing from targeted investment in early years interventions.

Key issues to be addressed in the Strategy include the further development of early childhood care and education programmes; the need to enhance quality provision, curricular support; and workforce capacity in early years services; support and regulation of the childminding sector; and the future development of early intervention, therapeutic and family support services to support young children and their parents.

The Strategy will bring together and consider a significant amount of international and domestic research on the importance of early years for child development, including findings from the “Growing Up in Ireland” study. It will also be informed by the evaluations from the Prevention and Early Intervention Projects which have been funded jointly by my Department and philanthropic organisations, as well as an analysis of existing service provision and associated resources. The major programme of institutional change which is currently underway, including the establishment of the Child and Family Agency, will also be taken into account.

The results of a public consultation, undertaken as part of the development of the Children and Young People Policy Framework, is currently being analysed and will inform both the Framework and the Early Years Strategy.

I have appointed an Expert Advisory Group, chaired by Dr. Eilis Hennessy, Head of School of Psychology at UCD, to advise on the preparation of the Strategy. The Group comprises external experts from a range of specialties, including paediatrics, early childhood care and education, child protection and public health nursing and is continuing to meet on a regular basis. I have met the Expert Advisory Group on a number of occasions, and I am very satisfied with the progress being made in developing Ireland’s first Early Years Strategy.

While supports for children with special needs will form part of the discussions of the Expert Advisory Group, the implementation of the EPSEN Act is a matter for the Department of Education and Skills.

I expect the Early Years Strategy to be published before the end of the year.

Preschool Services

26. **Deputy John Browne** asked the Minister for Children and Youth Affairs her plans for a second free preschool year; and if she will make a statement on the matter. [32352/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The free Preschool Year in Early Childhood Care and Education (ECCE) programme was introduced in January 2010 and provides a free preschool year to all eligible children in the year before commencing primary school. In line with the Programme for Government, my Department has made a significant commitment to maintaining this universal programme and some 68,000 children are availing of it at this time. The programme is expected to cost in the region of €175 million this year.

I am aware of the need to further develop the early childhood care and education sector. However, any development that involves further preschool provision would require considerable additional funding. I am also very conscious that work is continuing on improvement of quality within the preschool year. All of the available evidence indicates that the quality of the provision is key to good outcomes for children. In particular, I would like to see further progress in workforce development within the sector given the demands which expansion would

place on the current pool of trained staff.

Future developments relating to early years care and education are being considered in the context of the National Early Years Strategy.

Youth Unemployment Measures

27. **Deputy Pearse Doherty** asked the Minister for Children and Youth Affairs the measures and strategies she is considering, including in conjunction with other Departments and/or State agencies to help address the issue of youth unemployment; and if she will make a statement on the matter. [32583/13]

249. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which her Department continues to monitor the issue of youth unemployment with particular reference to the creation of the necessary training, upskilling or educational options available or likely to become available; and if she will make a statement on the matter. [32837/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I propose to take Questions Nos. 27 and 249 together.

The Government is tackling unemployment generally through the twin strategies of the Action Plan for Jobs and Pathways to Work and other measures to support employment growth. My Department works closely with the Departments of Education and Skills, Social Protection, Jobs, Enterprise and Innovation and others as part of a cross departmental effort to realise these Government objectives.

Youth unemployment is a particular concern because of the prospects it holds for young people themselves, their personal development and for social inclusion. The Government has a range of measures in place to tackle youth unemployment and these include programmes and initiatives in education, training, job search assistance/ work experience and to encourage job creation.

Through the Action Plan for Jobs, my Department is progressing work in relation to actions outlined for my Department and is firmly committed to maximising the role the youth sector can play in this area. There is growing recognition in Ireland and across Europe of the potential of youth work services to enhance employability of young people. In particular, recent European policy developments suggest that youth work has the potential to do more and has a special relevance for those young people who are marginalised from traditional systems of education, employment and training.

Ireland's EU Youth Presidency Programme sought to maximise the potential of youth policy in addressing the goals of the Europe 2020 Strategy and aimed to highlight how youth policy, as expressed through quality youth work and youth activities, can do more to enhance a range of life skills including employability. Council Conclusions, adopted by the Education, Youth, Culture and Sport Council at their meeting on 16 May 2013, which I chaired, propose actions to maximise the potential of youth policy in addressing the goals of Europe 2020, in particular youth employment. A second set of Conclusions, also adopted, highlight the importance of quality youth work as a tool for engagement with, and development of, young people. EU Youth Ministers further reaffirmed the relevance of quality youth work in contributing to measures to enhance the employability of young people, in particular those not engaged in education, employment or training.

As a follow-up to these Conclusions, I hosted a two day informal expert roundtable on the 20 and 21 June which considered the contribution of youth work to youth employment. The outcome of the meeting, the Dublin Declaration, recognises the challenges facing young people in Europe as a result of the lack of jobs and work experience, as well as the challenges posed by the widening gap between skills being sought by certain employers and those held by many prospective employees. It recognises that youth work offers a significant infrastructure, reach and capacity, outside of formal education and training; and therefore can play a highly-relevant role in developing young people's skill-sets, in particular with respect to 'soft' skills such as learning to learn, social and civic competence, leadership, communication, teamwork, and entrepreneurship – all of which are highly-valued and sought-after by employers. The Declaration notes the centrality of the role of quality youth work in the implementation of the Youth Guarantee by Member States.

The Conclusions of the Ministers and the outcome of the expert group meeting provide the basis for an ambitious agenda which can greatly enrich the national and European Union's policy responses to youth employment. My Department is working closely with the Departments of Education, Social Protection and Jobs, Enterprise and Innovation, to identify, in what ways, the youth sector can contribute to these shared policy objectives, in particular with respect to the potential of non-formal learning to reach out to those young people not in education, training and employment and to measures to implement the Youth Guarantee. The National Youth Work Advisory Committee, whose members include representatives of voluntary youth work organisations, is also considering issues to do with progressing this important agenda for our young people.

Child Care Reports

28. **Deputy Mary Lou McDonald** asked the Minister for Children and Youth Affairs the measures she will introduce to bring current child care regulations into line with the standards that all service-user parents, and Irish society generally, expect; the staffing levels, training and oversight requirements she proposes to apply; and if she will make a statement on the matter. [32580/13]

38. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Children and Youth Affairs if she has pressed, or will press, for the publication of all Health Service Executive inspection reports on child care facilities completed over the past three years; when the publication of said reports on completion will come into effect as standard practice; and if she will make a statement on the matter. [32579/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I propose to take Questions Nos. 28 and 38 together.

Preschool services are governed by the Child Care (Preschool Services) (No 2) Regulations 2006 as provided for under the Child Care Act 1991. Preschool inspections, which are the responsibility of the Health Service Executive (HSE), are necessary to ensure compliance with the Regulations and the delivery of quality childcare services.

In relation to the publication of preschool service inspection reports, the HSE Preschool Inspectorate is working to put these online. In the first instance the reports will be available from the Pobal website via a direct link on the HSE website. A commitment has been given to place new reports, once completed, online from 1 July 2013. I understand that the first of these will be placed online in the coming days. Work is ongoing to have reports on all services online by the end of the year and my Department is supporting the HSE and Pobal in this work.

I have identified a number of key areas of action which I believe need to be considered and addressed as a matter of urgency. These include introducing a registration system for all school services; taking steps to make the inspection system more consistent and more robust; publishing inspection reports on-line as soon as possible; ensuring appropriate action is taken in response to findings of non-compliance; increasing and widening the sanctions which can be taken for non-compliance.

My Department is also undertaking a review of the penalties currently in place for breach of the Child Care Regulations. The review will look at increasing the range and severity of the existing penalties including the actions which can be taken by Inspectors without recourse to court prosecution, as is currently the case.

It is important to realise, however, that inspections alone are not the answer to improving and maintaining quality. What is required is a multifaceted approach. The Early Childhood Care and Education (ECCE) programme introduced the first-ever requirement for minimum qualifications for staff working in the childcare sector. At present, this requirement is limited to the preschool leader delivering the preschool year and the level of qualification is minimum Level 5 on the National Framework of Qualifications of Ireland (NFQ). I believe it is important to introduce qualification requirements for all staff working in preschool services. For this reason, I have indicated my intention to increase the minimum requirement of Level 5 for preschool leaders delivering the preschool year will be increased to Level 6 and to require all preschool assistants and all other staff caring for children in a preschool service to hold a minimum qualification of Level 5. These new requirements will apply from September 2014 for new services, and from September 2015 for existing services.

As Minister for Children and Youth Affairs, driving the early childhood care and education quality agenda is one of my key objectives. I believe we can achieve this objective by taking a number of steps including working with the Department of Education and Skills to develop a more comprehensive and broadly-based inspection regime for preschools.

I am also looking at ways to further support the implementation of the Siolta and Aistear frameworks in preschool services. The successful implementation of the Frameworks on a nation-wide level will require all childcare practitioners to have a thorough understanding of quality early years provision and I welcome the fact that the Department of Education and Skills is looking at developing a more accessible practice manual to assist preschool services in implementing Siolta and Aistear.

Missing Persons Hotline

29. **Deputy Seán Crowe** asked the Minister for Children and Youth Affairs if she will provide a detailed update on the roll-out of the 116000 missing children hotline; the publicity strategy in place to publicise this facility; if she will give a commitment to future funding; and if she will make a statement on the matter. [32591/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The 116000 Missing Children Hotline is an EU-wide initiative designed to provide a single point of contact across the European Union for missing children and their families. The number is currently operational in 23 EU countries and has been allocated and will soon be in operation in a further three countries. In Ireland, the service is operated by the ISPCC and is overseen by a cross-sectoral project team, chaired by the Department of Children and Youth Affairs. Funding for the operation of the line in Ireland is being provided by my Department and the EU, through its Daphne funding stream. The funding received from the EU Daphne fund and from the De-

partment of Children and Youth Affairs includes the establishment costs, national promotion and advertisement of the service. In common with all Exchequer funding, requirements for the operation of the service in future years will be considered in the context of the usual Estimates process. The Missing Children Hotline has been operating on a limited hours pilot basis in Ireland since December 2012 and on a full-time 24/7 basis since the end of April 2013. The service was officially launched on 5 June last.

A key component of the service is a successful awareness programme. It is vital that those who could benefit from the service know it exists and that users are aware of the scope of the service. During the initial set-up phase of the service, the ISPCC focused on community-based promotion of the service. This included presentations to local community groups. Posters, flyers and business cards have been distributed to all Garda stations from Garda headquarters and promotional material has been distributed to a variety of community based projects in various locations throughout the country. The ISPCC has made extensive use of social media such as Facebook and Twitter to advertise this service on an ongoing basis. The official launch of the service on 5 June 2013 also provided the opportunity to further promote the scope of the service. The 116000 Missing Children Hotline website, *missingchildrenhotline.ie*, was launched on 5 June 2013, the day of the official launch of the service. In less than a month since its launch, the website has received approximately 2,000 hits. To date, some €35,000 has been spent on awareness measures. This amount will be doubled for further awareness measures in the rest of 2013. It is important to note the 116000 number is not an emergency number. Emergency calls should always be directed to the 999/112 number in the first instance, where the relevant emergency responses, including the recently launched Garda Missing Children Amber Alert mechanism, may be activated. The establishment of the 116000 line will be of valuable support and assistance to the families of missing children and to missing children.

Youth Services Funding

30. **Deputy Martin Ferris** asked the Minister for Children and Youth Affairs the efforts she is making to protect front-line youth services in view of funding cuts in the sector; and if she will make a statement on the matter. [32598/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The Youth Affairs Unit of my Department provides a range of funding schemes, programmes and supports to the youth sector. Funding of some €53.498 million is available in 2013 to support the provision of youth services and programmes to young people throughout the country including those from disadvantaged communities. Targeted supports for disadvantaged, marginalised and at risk young people are provided through the Special Projects for Youth Scheme, the Young Peoples Facilities and Services Fund Rounds 1 and 2 and Local Drugs Task Force Projects. These funding schemes support national and local youth work provision to some 400,000 young people and involve approximately 1,400 paid staff and 40,000 volunteers working in youth work services and communities throughout the country. The savings required under the Comprehensive Review of Expenditure in respect of 2013 amounted to €5.393 million, which equated to almost a 10% reduction on 2012 funding available for the provision of youth services. Having regard to the savings requirements identified in the Comprehensive Review of Expenditure my Department has tried to ensure that, in the determination process for the allocations, the front-line youth services, particularly those for the most vulnerable young people, are protected as far as possible from the impact of any necessary reductions in funding.

My Department has tried to be as equitable as possible in achieving these savings. In considering how best to manage within the reduced budgets available, organisations are being

asked to consider the scope for reducing administration costs and overheads, if possible, in order to maintain front-line youth services for young people. I have met and continue to meet many youth organisations and groups to try to see how we can work together to minimise the impact of these necessary savings and thereby ensure the provision of quality youth services to young people is sustained in these challenging times. A comprehensive Value for Money and Policy Review of youth funding has been commenced in my Department. It is anticipated that the findings of this report will inform the future development of youth programmes and services. My Department is developing a new youth policy framework for publication later this year. The new youth policy framework will aim to enhance the provision of youth services and activities. It will, *inter alia*, promote co-ordination between Government Departments and youth sector organisations with a view to maximising the effectiveness of the State funding available to support services for young people in future years.

Youth Services Funding

31. **Deputy Maureen O’Sullivan** asked the Minister for Children and Youth Affairs if she will outline the budget allocations to youth services in the Dublin area since taking office; if her attention has been drawn to the implications to youth services of reductions in funding and the effect future reductions will have on these services; and if she will make a statement on the matter. [32358/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The Youth Affairs Unit of my Department provides a range of funding schemes, programmes and supports to the youth sector. Funding of some €53.498 million is available in 2013 to support the provision of youth services and programmes to young people throughout the country, including those from disadvantaged communities. Targeted supports for disadvantaged, marginalised and at risk young people are provided through the Special Projects for Youth Scheme, the Young Peoples Facilities and Services Fund Rounds 1 and 2, Youth Information Centres and Local Drugs Task Force Projects. These funding schemes support national and local youth work provision to some 400,000 young people and involve approximately 1,400 paid staff and 40,000 volunteers working in youth work services and communities throughout the country. As with all Government Departments and agencies, funding for the programmes of the Department of Children and Youth Affairs has been reduced in recent years due to the general budgetary situation in which we find ourselves. The savings required under the Comprehensive Review of Expenditure in respect of 2013 amounted to €5.393 million, which equated to almost a 10% reduction on 2012 funding available for the provision of youth services. In 2014, the savings required in the youth budget under the Comprehensive Review of Expenditure amount to €2.976 million. Having regard to the savings requirements identified in the Comprehensive Review of Expenditure, my Department has tried to ensure in the determination process for the allocations that front-line youth services, particularly those for the most vulnerable young people, are protected as far as possible from the impact of any necessary reductions in funding.

My Department has tried to be as equitable as possible in achieving these savings. In considering how best to manage within the reduced budgets available, organisations are being asked to consider the scope for reducing administration costs and overheads, if this is at all possible, in order to maintain the front line youth services for young people. I have met and continue to meet many youth organisations and groups to try to see how we can work together to minimise the impact of these necessary savings and thereby ensure the provision of quality youth services to young people is sustained in these challenging times. Funding provided by my Department to support youth projects in the Dublin City area is administered, on behalf of my Department, by the City of Dublin Youth Services Board. The board receives funding under

the Special Projects for Youth Scheme, the Young People's Facilities and Services Fund Rounds 1 and 2 and under the Local Drug Task Force since 2011. Details of funding to the board for 2011, 2012 and 2103 are as follows:

Year	Special Projects for Youth Scheme	Young People's Facilities and Services Fund Round 1	Young People's Facilities and Services Fund Round 2	Local Drug Task Force	Total
2011	€3,858,955	€4,105,502	€5,003,200	€962,700	€12,992,253
2012	€3,608,123	€3,838,644	€4,645,361	€900,125	€13,930,357
2013	€3,413,085	€3,501,491	€4,281,318	€800,761	€11,996,655

My Department continues to work with the City of Dublin Youth Services Board, as it does with all agencies administering funding on behalf of my Department, to ensure the most efficient and effective use of the funding allocated for the provision of youth services in the Dublin City area.

Question No. 32 answered with Question No. 25.

Adoption Records Protection

33. **Deputy Mick Wallace** asked the Minister for Children and Youth Affairs further to Parliamentary Question No. 5 of 9 May 2013, if it is her position that a referendum on privacy is required in order to afford adopted persons the same rights as other Irish citizens; and if she will make a statement on the matter. [32542/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): Work is continuing on the preparation of the heads of Bill of the Adoption (Information and Tracing) Bill. My view is that people affected by adoption should be given a statutory right to as much information as possible within permissible constitutional boundaries. The constitutional and legal context within which the development of legislative proposals must be undertaken is complex. This has influenced the existing approach to access to information which, while subject to significant development in recent years, has heretofore operated based upon the consent of all the parties. The proposed legislation is intended to provide for a structured and regulated approach for applicants seeking access to adoption information and is also intended to facilitate contact between parties affected by adoption, including in circumstances where an adoption order was not effected. Complex legal and constitutional issues have arisen during the course of the preparation of the heads of Bill, including the setting of criteria for balancing an adopted person's right to information about his or her identity with a birth parent's right to privacy. This is a particular challenge in considering the impact on individuals in respect of adoptions which took place in the past where the concept of confidentiality and privacy were very central in the adoption process. These issues are receiving careful examination. Detailed consideration on the part of my Department and the Office of the Attorney General is under way. I am anxious to bring the heads of Bill before the Government at the earliest possible date. Again, my view is that people affected by adoption should be given a statutory right to as much information as permissible within constitutional boundaries. However, there are undoubtedly challenges remaining in developing a workable framework which respects the constitutional rights of all parties. I remain committed to achieving my policy objectives notwithstanding these challenges.

Traveller Community Issues

35. **Deputy Thomas P. Broughan** asked the Minister for Children and Youth Affairs her plans to address the very poor E grade awarded to the Government in the Children's Rights Alliance Report Card 2013 for its unsatisfactory performance in relation to Traveller children; the positive plan of action she will put in place to improve the Government's performance regarding same; and if she will make a statement on the matter. [32354/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The Children's Rights Alliance's Report Card 2013 comments on the Government's commitment to improving the lives of all Travellers including Traveller children. The Programme for Government commits the Government to promoting greater co-ordination and integration of delivery of services to the Traveller community across Government, using available resources more effectively to deliver on principles of social inclusion, particularly in the area of Traveller education.

In so far as my Department is concerned, the report card is being considered in the context of the National Children and Young People's Policy Framework which follows on from the National Children's Strategy 2000-2010. The Framework is expected to cover the 5 year period from 2014 to 2018. In this regard, the views of the Children's Rights Alliance, including those contained in the Report are being taken into account in the development of the Framework, and indeed the Children's Rights Alliance are members of the National Advisory Council (NCAC), which has advised my Department on the Framework.

With regard to education, the Government, through its various interventions in the education sector, is committed to improved retention rates, better learning experiences and improved outcomes for all children, including children who are members of the Travelling community. Recorded overall Traveller participation rates in education in recent years show a steady increase, as do rates for participation in the junior cycle and for progression to senior cycle.

Current policy in relation to Traveller education is underpinned by the Report and Recommendations for a Traveller Education Strategy which was developed following wide ranging consultation with Traveller representative groups. The Strategy covers, in a very comprehensive manner, aspects of Traveller Education from pre-school right through to further and higher education within a lifelong learning context. The principle of inclusion is at the core of the Strategy and, accordingly, the focus of both current and future provision is on the development of a more inclusive school environment through the whole school planning process, teaching practice, admissions policies, codes of behaviour and whole school evaluation. Additional resources are allocated, therefore, on the basis of individual educational need rather than that of ethnic or cultural background.

Implementation of the Strategy is undertaken by the Department of Education and Skills in consultation with representatives of the Traveller community through the Traveller Education Strategy Advisory and Consultative Forum.

Children and Young People's Policy Framework

36. **Deputy Pádraig Mac Lochlainn** asked the Minister for Children and Youth Affairs the progress made to date on the development of the new five year Children and Young People's Policy Framework; when she expects its completion and publication; and if she will make a

statement on the matter. [32582/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): My Department is developing a new strategy for children and young people. It will build on *Our Children - Their Lives*, Ireland's first children's strategy which was published in 2000 and it is expected to cover the five year period from 2014 to 2018.

In keeping with my Department's responsibilities for children and young people, the new Children and Young People's Policy Framework is being developed in a holistic way which will comprehend the continuum of the life-course from infancy through to early and middle childhood, adolescence and early adulthood. It will be the overarching Framework under which policy and services for children and young people will be developed and implemented in the State.

The views of a wide range of interests including children themselves will shape the development of the Policy Framework and it will be informed by the following inputs:

- the results of a consultation in 2011, which focused on children and young people, in which almost 67,000 people throughout the country participated and the results of the analysis of the consultation were published last November;

- a public consultation of the general public conducted during in 2012. Over 1,000 submissions were received as part of that consultation. An analysis of the submissions was completed last April;

- the advice of the National Children's Advisory Council which represents a range of statutory and non-statutory organisations working with children and young people; and

- the views of the National Children's Strategy Implementation Group which includes nominees of Government departments and State agencies which develop policies and deliver services for children and young people.

My Department is also in the course of meeting with other Government departments to discuss aspects of the Framework which will impact particularly on their areas of policy responsibility. The Policy Framework is expected to be finalised and published later this year.

Child and Family Support Agency Funding

37. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which she is satisfied regarding the availability of adequate resources within her Department to meet the full scale of responsibilities likely to fall within her remit with particular reference to the welfare of children and young adults; and if she will make a statement on the matter. [32497/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): My Department was set up to drive the delivery of key commitments in relation to children and young people and to put in place a unified framework of policy, legislation and provision across Government in respect of children and young people.

The 2013 estimate includes an allocation of €443m for my Department which represents an increase of €16m over the 2012 allocation and this clearly demonstrates the continuing commitment of this Government to the ongoing development of quality and effective services to support children and families.

Since establishment, I and my Department have the responsibility for the welfare of children

and young adults. The resources associated with those services include those attaching to the Family Support Agency and the National Educational Welfare Board both of which are already under my remit. By agreement with my colleague the Minister for Health, the Child Protection and Welfare services of the HSE has been operating as a shadow agency over the period of 2012 in preparation for the transition to the new Agency. The resources relating to these services and any other services proposed for transfer will also come under my remit. Processes regarding the transfer of the related staff are largely finalised and the final budgetary transfers will be subject to an agreed due diligence process. Control of this Voted expenditure will transfer to my Department on establishment day.

There is no doubt that this is a substantial programme of reform which does not end on establishment day. The setting up of the Child and Family Agency is at the heart of the Government's reform of child and family services. The Government decided that it was essential and appropriate that child welfare and protection services transfer from the Health Service Executive to a new, dedicated Agency. The Department of Children and Youth Affairs and the Department of Health are working jointly on an impact analysis of proposed future arrangements for this service as they relate to children and family services covered by the Child and Family Agency and to services provided by the HSE. The establishment of a single agency incorporating key children's services will provide a focus for the major reforms already underway within Children and Family Services. In addition to this large scale structural reform programme, the HSE Child and Family Directorate is also implementing a significant programme of ongoing reforms. These reforms at operational level respond in detail to many identified gaps and changes needed to ensure a more consistent, effective and quality service delivery.

The Department is currently examining its internal structures to ensure they are aligned and resourced to continue and enhance its oversight and performance management function as regards the new Agency. I will be continuing to work with my colleagues the Minister for Health and the Minister for Public Expenditure and Reform (in the context of the budgetary process) on the resources issue as we progress towards establishment of the new Agency.

Question No. 38 answered with Question No. 28.

Departmental Funding

39. **Deputy John Halligan** asked the Minister for Children and Youth Affairs if she has undertaken or intends to undertake an analysis or impact study on the cumulative effects of the cuts in family support services, health services, guidance and mental health services, special needs assistants and resource hours and school completion programme on children and young persons in the areas catered for by the City of Dublin Youth Service Board; and if she will make a statement on the matter. [32605/13]

52. **Deputy Richard Boyd Barrett** asked the Minister for Children and Youth Affairs if she has undertaken or intends to undertake an analysis or impact study on the cumulative effects of the cuts in education, family support services, health services, guidance and mental health services, special needs assistants and resource hours and school completion programme on young persons in the areas catered for by the City of Dublin Youth Service Board; and if she will make a statement on the matter. [32606/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I propose to take Questions Nos. 39 and 52 together.

My Department supports a range of programmes to support services for children and young

people, including family support services currently provided by the Family Support Agency and the School Completion Programme which supports school attendance, participation and retention. My Department also implements a number of other areas of programme spend, including funding for youth services and funding for services in the early childhood care and education sector.

As the Deputy will be aware, along with all other Government Departments, my Department undertook a Comprehensive Review of Expenditure in November 2011. This has required savings to be found across almost all areas of expenditure in my Department's Vote. The funding for family support services and the School Completion Programme is not broken down by reference to City of Dublin Youth Service Board and I am not in a position to state the cumulative effect of the savings on children and young persons in the areas within the remit of the Board.

The Family Support Agency, which is under the remit of my Department, provides support services for children and families through a network of some 106 Family Resource Centres. Under the Comprehensive Review of Expenditure, funding for the Family Resource Centres has been reduced in 2012-2013 by 5% per annum which amounts to some €1.6m in total. The merger of the functions of the Family Support Agency with the new Child and Family Agency in the coming months should provide opportunities for some administrative savings and cost efficiencies.

The School Completion Programme (SCP) is one of three educational welfare strands under the remit of the National Educational Welfare Board (NEWB) for which my Department has responsibility. The SCP is also a key part of the Department of Education and Skills DEIS programme. The SCP supports 124 projects and related initiatives which operate in 470 primary schools and 224 post-primary schools across the country to provide targeted supports to approximately 36,000 children and young people. As a result of the Comprehensive Review of Expenditure, the SCP was subject to a funding reduction of 6.5% per annum in 2012-2013 amounting to some €3.8m. An operational review of the SCP will be undertaken in the coming academic year to enable my Department to target support to the pupils most at risk of educational disadvantage and early school leaving.

Funding for youth services and organisations which is provided by my Department to support youth services and projects in the Dublin City area, and which is administered by the City of Dublin Youth Service Board, amounts to almost €12m this year. Since 2012, this funding has been reduced by €2.895m. This is in line with the Comprehensive Review of Expenditure which required funding reductions for youth services of, on average, 5% in 2012 and 10% in 2013. To minimise the impact of the savings required, my Department is undertaking a comprehensive Value for Money and Policy Review of youth funding to inform the future provision of youth programmes and services.

Child Care Services Regulation

40. **Deputy Derek Keating** asked the Minister for Children and Youth Affairs when she plans to introduce regulations for childminders in the home. [32349/13]

42. **Deputy Gerry Adams** asked the Minister for Children and Youth Affairs the penalties she believes must apply where breaches of childcare regulations are detected; when she expects that said penalties will be introduced; if legislation is required; and if she will make a statement on the matter. [32581/13]

54. **Deputy Derek Keating** asked the Minister for Children and Youth Affairs when she

plans to introduce regulations for childminders including childminders in the home; if they will be included in the Children First legislation; and if she will make a statement on the matter. [32348/13]

56. **Deputy Alan Farrell** asked the Minister for Children and Youth Affairs the action she has taken on crèches that are currently in breach of regulations in 2013; if they are to receive continued funding in 2013 if the breaches in regulations persist; and if she will make a statement on the matter. [32344/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I propose to take Questions Nos. 40, 42, 54 and 56 together.

Pre-school services are subject to the Child Care (Pre-School Services) (No.2) Regulations 2006, as provided for under Part VII of the Child Care Act 1991. The inspection of pre-schools and the enforcement of the Regulations are the responsibility of the Health Service Executive (HSE).

My Department is undertaking a review of the penalties currently in place for breach of the Child Care (Pre-School) Regulations, as provided for under the Child Care Act 1991. The review will look at increasing the range and severity of the existing penalties including the actions which can be taken by Inspectors without recourse to court prosecution, as is currently the case.

In addition, my Department is working with the Pre-School Inspectorate to develop new protocols on regulatory compliance so that there is greater clarity and consistency of approach as to how inspection reports deal with findings of serious non-compliance vis a vis minor breaches and full compliance. The protocols will also inform the future suspension or termination of funding in the case of serious non-compliance.

At present childminders taking care of more than three pre-school children from different families, and after-school care for children, are not subject to the Child Care Regulations. These are issues which I am reviewing and will consider further in the coming months in the context of both the Early Years Strategy, which is being developed by my Department, and other amendments to the Child Care Act 1991 which are being considered.

Childminders who are not subject to the Childcare Regulations are encouraged to voluntarily notify their service to their local City or County Childcare Committee. Both notified and voluntarily notified childminders can avail of the Childminders Tax Exemption which exempts childminding earnings of up to €15,000 from income tax.

My Department is currently piloting a new School Age Childcare scheme in conjunction with the Department of Social Protection. When fully operational, the scheme will provide 6,000 subsidised, after-school places for primary school children, to assist qualifying parents to avail of employment opportunities. Eligibility for the scheme will be determined by the Department of Social Protection. Parents qualifying under the scheme will be able to access after school childcare at a weekly cost of €20. My Department will subsidise each of these places with weekly payments of €35 during term time and €100 in school holidays. Pending any change to the Child Care Act 1991 to extend regulatory control to after-school childcare, all services participating in the scheme will be subject to strict contractual requirements drawn up by my Department.

One of the specific issues of policy which I have identified for consideration in the preparation of Ireland's first ever Early Years Strategy for children aged from birth to 6 years, is the future role and regulation of the childminding sector. I expect work on the Strategy to be completed later this year and I will review the future regulation of childminders in that context.

Questions - Written Answers
Child Protection Services

41. **Deputy Joe Higgins** asked the Minister for Children and Youth Affairs her views on the horrific occurrence of child abuse catalogued by Women's Aid; and if she will make a statement on the matter. [32356/13]

53. **Deputy Joe Higgins** asked the Minister for Children and Youth Affairs the extra funding she will make available to women and children refuges and advocate groups on behalf of abused children. [32357/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I propose to take Questions Nos. 41 and 53 together.

The Children First National Guidance for the Protection and Welfare of Children, which I published in 2011, provides clarity and guidance for individuals and organisations in identifying and responding appropriately to child abuse and neglect. It also sets out what organisations that care for or work with children should do to ensure they are safe whilst in the care of the organisation. All child protection concerns should be reported in the appropriate manner, including those identified where a child has been in a home where there was domestic abuse.

Statutory responsibility for the delivery of child welfare and protection services rests with the HSE, which is the appropriate body to receive all reports of concerns relating to all forms of child abuse. Under Section 3 of the Child Care Act, 1991, the Health Service Executive has a duty to promote the welfare of children who are not receiving adequate care or protection.

Child Welfare and Protection Referrals and Assessment

Once a referral has been made to the HSE Children and Family Services all cases are managed through a standardised business process. All reports of concern for the safety or well-being of a child are handled initially by the Duty/Intake team for the purposes of assessment. All staff receiving such a referral are trained in the duty system and are obliged to treat seriously all child welfare and protection concerns whatever their source. Once a report has been made the screening stage deals with the information reported and preliminary enquiries are concerned with formulating an appropriate response.

Children First Legislation

The Deputy will be aware the Government is committed to putting aspects of Children First on a statutory basis. In this regard, I published the Draft Heads and General Scheme for the Children First Bill 2012 in April last year and immediately referred the Heads of Bill to the Oireachtas Committee on Health and Children for consideration and advice. The Joint Oireachtas Committee on Health and Children published their report in July 2012.

As part of the Joint Committee's consultation process a number of submissions were received. Overall there was a welcome for the fact that the legislation would increase the focus on child protection. The contributions in the main came from organisations already implementing Children First. The historic nature of the proposals and their implications for those providing services to children were acknowledged, as was the importance of the precise nature of the duties, responsibilities and sanctions contained in the legislation for successful implementation.

Submissions were not all in agreement and many points emerging needed to be considered and reconciled. This involves consideration of policy and operational issues, as well as the best legal approach to achieving Children First objectives. In this regard, officials within my Department have consulted with a number of organisations and individuals and I have met with a

number of key stakeholders to discuss the complex issues that have arisen. I have also taken the opportunity to consult with a number of experts in relation to the development of the policy in this area. In addition, my Department commissioned a detailed academic study on key aspects of the relevant mandatory legislation in place in this area internationally. All of these factors are informing the preparation of enhanced policy proposals that is currently underway.

The framework is now focussed on the safety and protection of children generally; the provision of safe services for children; cooperation amongst professionals and organisations where children are at risk of neglect and abuse and finally mandating key individuals to report child abuse known to them. The latter objective is aimed at removing ambivalence, reluctance or refusal by people and organisations in positions of trust and authority to report child abuse and cooperate with the relevant authorities.

I note that the vast majority of reports of abuse against children, reported in the Women's Aid Annual Report were in respect of emotional abuse. This is an issue that I take seriously and it is my intention that it is dealt with in the context of this legislation. It is my intention to submit further proposals in the form of a revised general scheme and Heads of Bill to Government as soon as possible with a view to the drafting of the Children First Bill as a priority.

New Child and Family Support Agency

The establishment of the Child and Family Agency is central to the Government's reform programme in respect of child and family services. In order to achieve genuine improvements for children and families, the Agency will have a broader focus than child protection. Prevention, early intervention, family support and therapeutic & care interventions are all key to the provision of integrated multi-disciplinary services for children and families based on identified need.

It is my intention that the new Agency will address the persistent issues which have been raised regarding the standardisation of services, communication, coordination and sharing of risk assessment, management and treatment for many of the children and families with the most complex needs. At the same time, the Agency will have a role in supporting families - providing less complex, less intrusive and less expensive responses which have a preventive function.

My Department does not provide funding for women's refuges. However, from its establishment the child and family-related services for which the HSE currently has responsibility including pre-school inspections and domestic, sexual and gender-based violence services will transfer to the agency.

The establishment of a single agency incorporating key children's services will provide a focus for the major reforms already underway within Children and Family Services. The new Child and Family Support Agency and the wider transformation of children's services represents one of the largest, and most ambitious, areas of public sector of reform embarked upon by this Government.

Question No. 42 answered with Question No. 40.

Child Protection Services

43. **Deputy Peadar Tóibín** asked the Minister for Children and Youth Affairs if the new national co-ordinator for the children's services committees has taken up office as anticipated before the end of last month; if she will provide an up-to-date report on the development of the 16 CSCs already established; her plans to continue to establish CSCs where they are not cur-

rently in place; and if she will make a statement on the matter. [32584/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): My Department is leading an initiative to develop and implement a planning model for local interagency working to improve outcomes for children. The purpose of this initiative is to work towards better developmental outcomes for children through more effective integration of policies and services, in particular through the Children's Services Committees at local level.

Children's Services Committees (CSCs) bring together a diverse group of agencies in local county areas to engage in joint planning of services for children. These include representatives from the HSE, local authorities, An Garda Síochána, VECs, National Association of Principals and Deputy Principals, Irish Primary Principals Network, NEWB, and other organisations who provide services to children and young people. There are 16 CSCs at various stages of development, as follows: *Dublin City, South Dublin, Limerick City, Donegal, Kerry, Fingal, Kildare, Longford/Westmeath, Carlow, Louth, Wicklow, Waterford, South Tipperary, Meath, Sligo/Leitrim, Cavan/Monaghan.*

Following the publication of the Children & Young People's Policy Framework later this year it is hoped to extend the initiative further with the aim of developing a CSC in every part of the State.

I am very pleased to say that the Centre for Effective Services (CES) has recruited a National Coordinator for Children's Services Committees, to work with the Department of Children and Youth Affairs, the new Child and Family Agency and other statutory agencies, who will provide leadership to the Children's Services Committees (CSCs) Initiative for the next 3 years. She took up duty on Monday 17th June last.

Children in Care

44. **Deputy Thomas P. Broughan** asked the Minister for Children and Youth Affairs her plans to allocate funding for increased provision of specialised services for children with severe behavioural difficulties here, such as those with very severe behavioural disorders, many of whom continue to be placed in specialist facilities outside Ireland; and if she will make a statement on the matter. [32353/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): A very small minority of children under 18 years of age have highly specialised needs that require specialised interventions in Special Care Units (0.4% of children in care).

Special Care involves the detention of a child for his or her own welfare and protection in a Special Care Unit with on site educational and therapeutic supports. A Special Care Unit provides secure residential service to children and young people who are in need of specialised targeted intervention. Children are detained in special care if their behaviour is deemed to pose a risk to themselves. The detention, by order of the High Court of a child in a Special Care Unit is considered as a last resort, for as short a time as possible, and when other forms of residential or community care are considered to be unsuitable. Special Care Units are inspected by HIQA under Section 69 of the Child Care Act, 1991 on an annual basis, and the inspection reports are published.

A subset of this cohort do not meet the criteria for placement in Special Care facilities, or their needs are too specialised to be met in the Units and in exceptional cases, arrangements are required to be made for some of these young people to be placed into care and treatment facilities outside of the State in units that provide a specialist individually tailored mix of care and

therapeutic services and/or psychiatric treatment not available in Ireland. I am advised by the HSE that there are currently 10 children in secure placements outside of the State.

The placement of Irish children in secure facilities outside of the Irish jurisdiction by Order of the Irish High Court occurs within the framework of Council Regulation (EC) – otherwise known as the Brussels 11 bis Regulation. The High Court retains oversight of these placements through regular intensive welfare review. The HSE maintains governance and oversight via its statutory obligations to children in the care of the HSE.

The HSE ensures that these placements are suitable. The units in which the children are placed are inspected and monitored by their national authorities and the HSE is attentive to the standards of care delivered in these specialised units. The level of requirement for these services is closely monitored by the HSE's National Director for Children and Family Services and my officials.

As part of the overall ongoing review of services to meet the needs of children in care, the HSE are reconfiguring some services for children with behavioural difficulties to reflect demand in keeping with best practice and international evidence.

Health Services Reports

45. **Deputy Denis Naughten** asked the Minister for Children and Youth Affairs her views on the audit report which was produced on foot of a specific recommendation of a public inquiry into the Roscommon child care case; and if she will make a statement on the matter. [32346/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I welcome the publication, by the HSE, of the 'A Review of Practice and Audit of the Management of Cases of Neglect'. The report was received by the Department of Children and Youth Affairs in May 2013 and it was published on the HSE website two weeks ago.

This report follows the publication, in October 2010, of the report of the Roscommon Child Care Inquiry, which catalogued a number of concerns arising from the examination of the management of systematic and problematic neglect in a family known to the HSE Child Protection Services. The findings of the Inquiry raised concern that this might not have been an isolated case and that there might be more widespread practice and governance issues in the management of cases of neglect, both in Roscommon and throughout the country.

This led to work on a National Audit of neglect cases. From the outset, it was the intention of the HSE that the neglect audit would comprise a number of phases. Therefore the audit was not simply a once off exercise but constitutes one element of a wider process to improve practice in relation to such cases across the country.

For phase 1, the HSE commissioned the services of Ms Lynne Peyton, an Independent Consultant in Child Protection, to complete an initial pilot audit of the Roscommon cases. This pilot was extended to two other local health areas, Waterford and Dublin South East. This pilot phase [Phase 1] was conducted in early 2012 and this was worked on subsequent to completion. The composite report, published two weeks, therefore represents the findings of the pilot phase; and is designed to inform a more significant National Audit of Neglect Cases.

Since its completion this document has acted as an important working document informing preparations for Phases 2 and 3 of the process, namely, the workshops for staff and the National Audit of neglect files. Last August, the attention of HSE social work staff was drawn to the ongoing and systemic impact of neglect as identified in the three audits.

However the report in itself does provide some key learning with respect to service improvements and in this regard the HSE has developed an implementation plan to address the recommendations of the report. This has now happened, and the HSE have already demonstrated progress in relation to very many of those actions.

In Roscommon: there have developments with respect to implementation of monthly child care meeting chaired by the General Manager; restructuring of Social Work Teams and the streamlining of Family Support Services to include a single point of entry for referrals. In addition, more than fifty staff in all relevant disciplines have participated in training on the Identification of Neglect.

In Dublin South East the Social Work Department has been restructured and the new arrangements are working more effectively. There has been a blitz on the waiting list and unallocated cases have been significantly reduced and are constantly reviewed. New standard business processes including in relation initial assessments have been implemented and new collaborative arrangements and joint training has been progressed between social work and a range of other disciplines including: child and adolescent mental health, speech & language therapy, psychology, etc.

In Waterford, the pilot phase of audit has led to a substantive structural alteration of the deployment and governance of child protection services in Waterford. In addition new internal quality assurance arrangements have been introduced, including an increase in the frequency of staff supervision.

With respect to the general findings, I believe this audit contributes to greater awareness of neglect, highlighting the “harsh reality of neglect”.

The Audit found that parental alcohol misuse was a factor in 62% of families in the overall sample; and states that “family dysfunction was often associated to chronic alcohol and drug misuse”.

The Audit further found that

- domestic violence was a reported feature in almost two thirds of the sample cases;
- parental mental health issues also featured in approximately 2 thirds of the Dublin;
- standards of hygiene and physical conditions were unacceptable in more than half of the cases; and
- non-attendance at medical and other specialist appointments with speech and language therapists, psychology and CAMHs was a feature.

The audit highlights how referrals of neglect cases in Roscommon & Waterford have tripled in the period 2005-2009. On a positive note, the audit found that “emphasis on providing Children First training ... was paying off in terms of appropriate referrals”.

However the Audit did find that there was too much variation and inconsistency across local areas. I believe that establishment of the dedicated new Child & Family Agency represents an essential response to this. At heart of new Agency will be a new Quality Framework, led by a newly-appointed Head of Quality.

In relation to the specific issue of responses to referrals relating to neglect, a very significant body of work has been underway, in tandem with establishment of the Child & Family Agency to develop new standardised models for referral and assessment.

Instead of prioritising abuse cases to the detriment of neglect cases, the new models, which have been subject to a number of pilot projects throughout the country, seek to differentiate of child protection and child welfare cases with a view to ensuring timely and proportionate responses to each.

A new model for family-based, multi-agency assessment and early intervention known as 'Meitheal' has already been trialled in two regions (Sligo/Leitrim and Donegal and in Limerick) and is being mainstreamed as part of the establishment of the new Child and Family Agency.

In addition, under the agency's new Service Delivery Framework, work is at an advanced stage on the development of what are to be known as Local Area Pathways, which are with be local networks of statutory and NGO providers, which will be in position to respond immediately to child welfare referrals, including cases of neglect; by providing a range of services to multi-disciplinary services, including family support.

In conclusion, I look forward to the conduct of the national audit and the ongoing work on establishment of the new Agency and accompanying reforms.

Health Services Reports

46. **Deputy Denis Naughten** asked the Minister for Children and Youth Affairs the progress to date on implementing the recommendations in the report on the Roscommon child care case; and if she will make a statement on the matter. [32347/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): As I indicated in replies to previous parliamentary questions by the Deputy on this matter, an audit undertaken by the HSE's Quality and Patient Safety Audit (QPSA) found that a number of the recommendations of the Roscommon Child Care Case report have been implemented. Work is ongoing to progress the remaining recommendations in the context of the wider ongoing reform process in Children and Family Services in the HSE. This reform process includes a number of important strands including work force development, service enhancement and models of care in children and family services. A number of key reforms highlighted in the audit relating to enhanced sexual abuse services, caseload management, core assessment framework, quality assurance and resource allocation also feature as part of the reform programme and are at various stages of planning and roll out.

Missing Persons Hotline

47. **Deputy Aodhán Ó Ríordáin** asked the Minister for Children and Youth Affairs if she will detail the way the new 116000 missing children helpline will be advertised and promoted so that its presence will be widely known among children and their parents. [32351/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The 116000 Missing Children Hotline is operated by the ISPCC in liaison with a cross-sectoral Project Team, chaired by the DCYA.

The ISPCC has been successful in securing EU Daphne funding to support the establishment of the line. Funding has also been allocated to the hotline by the Department of Children and Youth Affairs in 2013 (and previously in 2012). The funding received includes the establishment costs and the national promotion of the Hotline service.

A key component of the service is a successful awareness programme. It is vital that those

who could benefit from the service know that it exists and that users are aware of the scope of the service. During the initial set up phase of the service, the ISPCC focused on community based promotion of the service. This included presentations to local community groups. Posters, flyers and business cards have been distributed to all Garda stations from Garda headquarters, and promotional material has been distributed to a variety of community based projects in various locations throughout the country. Further, the ISPCC has made extensive use of social media such as Facebook and Twitter to advertise this service on an ongoing basis. The official launch of the service on 5 June, 2013 also provided the opportunity to further promote the scope of the service. In addition, the 116000 Missing Children Hotline website (www.missingchildrenhotline.ie) was launched on 5 June 2013, the day of the official launch of the service.

The ISPCC will now escalate the promotion of this service, which will include promotion in schools. The Project Team will be kept informed on an on-going basis of the ISPCC's plans and activities related to awareness raising.

Child Detention Centres

48. **Deputy Mick Wallace** asked the Minister for Children and Youth Affairs the reasons for the delay in opening the national children detention facility in Oberstown; if her attention has been drawn to recent comments by the Ombudsman for Children regarding resources and staff at Oberstown; and if she will make a statement on the matter. [32543/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The Oberstown capital project is required in order to give effect to the Programme for Government commitment to end the practice of detaining children in adult prison facilities. I have outlined my commitment to this project on many different occasions and it remains at the top of my agenda. The Deputy will be aware that shortly after taking responsibility for the children's detention schools last year I introduced the legislative changes to transfer responsibility for 16 year old boys from St. Patrick's Institution to Oberstown. I also put in place the required funding package for the major capital development of the Oberstown facilities. My officials have, in conjunction with the Office of Public Works, completed the design process and secured planning permission for the capital development. The tender process is ongoing at present and this is being overseen by a steering group of officials from my Department and the Office of Public Works. A further announcement on the outcome of the tendering process will be made shortly. The introduction of expanded detention facilities in Oberstown will also be accompanied by a proportionate increase in staffing resources. While the full extent of these additional resources has yet to be finalised pending the award of the Oberstown project, the aim is to begin the recruitment process in 2013 with a view for staff to be on campus in 2014 and ready to open the first of the new units by mid 2014.

I am conscious that staff working in this area must have the necessary training and supports in order to fully implement the child care model of detention. A very substantial change programme is underway on the Oberstown campus and the expanded remit of the children detention service will see it accommodate all children detained in the State in a child specific environment from the middle of next year. This implies significant operational change for staff and management in Oberstown. A new campus staffing roster was implemented on 25 February 2013 following protracted negotiation and agreement between staff and management at the Labour Relations Commission. This is the first time all care staff on the campus are operating flexibly according to one campus wide roster with a set of harmonised conditions for hours worked. I wish to acknowledge the cooperation of staff with the implementation of this change to date. A number of issues have been the subject of consideration in conjunction with imple-

mentation of the campus wide roster, including training needs and the need to achieve greater harmonisation of care procedures between the three children detention schools. These issues are being progressed at present as part of the ongoing industrial relations process in Oberstown.

Question No. 49 answered with Question No. 17.

Child Care Services Funding

50. **Deputy Aengus Ó Snodaigh** asked the Minister for Children and Youth Affairs her view of the economic importance of investment in early intervention, in particular in the early years; and if she will provide an update on capital funding available to child care providers in 2013. [32592/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The Programme for Government commits to developing early childhood care and education as resources allow, and the Government has made a very significant commitment to maintaining the childcare support programmes implemented by my Department - the Early Childhood Care and Education (ECCE) programme, the Community Childcare Subvention (CCS) programme, the Childcare Education and Training Support (CETS) programme and the new After-school Childcare programme which is being fully rolled out in September 2013.

In 2013 the total expenditure by my Department on the childcare support programmes is expected to be in the region of €260 million. I believe that the investment made in childcare supports is an investment in our country's future prosperity. I have provided sufficient funding to ensure that the programmes can be maintained despite the ongoing need to reduce Government expenditure.

It is recognised that intensive and targeted early childhood services have the potential to significantly enhance the life chances of many children. There is significant international evidence of the benefits for children's outcomes of the provision of quality education and childcare in the earliest years. Investment in early childhood care and education benefits not only the individual child but also the future development of the wider economy. I am also aware of the important economic contribution that childcare services provide through direct employment of staff in service delivery and through support for labour participation on the part of working parents.

The Early Years Strategy, which is currently being developed by my Department, will be Ireland's first ever national strategy for early years. It is expected that it will cover a range of issues affecting children in their first years of life such as health, including physical and mental development, vaccination programmes and population health issues such as nutrition and exercise, as well as parenting and family support, learning and development, play and recreation and early childhood care and education. The Strategy will further recognise the economic imperative and benefits accruing from targeted investment in early years interventions.

I was successful in securing €2.75m in capital funding in Budget 2013 to support the ongoing improvement of the childcare sector via the 2013 Childcare Capital Programme. This programme is being implemented by Pobal on behalf of my Department. Both community not-for-profit childcare facilities and private childcare facilities currently participating in one of the three childcare programmes implemented by the Department of Children and Youth Affairs were eligible to apply for a grant under the Programme. The application process for funding under the programme has now been concluded and applicants will be advised of the outcome in the very near future.

Departmental Budgets

51. **Deputy Michael Colreavy** asked the Minister for Children and Youth Affairs her priorities for budget 2014; and if she will make a statement on the matter. [32599/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The Department of Children and Youth Affairs was set up to drive the delivery of key commitments in relation to children and young people. It was established in June 2011 with a mandate to put in place a unified framework of policy, legislation and provision across Government in respect of children and young people.

The responsibilities of my Department encompass a wide range of policy and service activity, both direct and indirect, for children and young people in Ireland. It has a complex mandate, comprised of a number of separate, but interrelated strands including:-

- the direct provision of a range of universal and targeted services;
- ensuring high-quality arrangements are in place for focused interventions dealing with child welfare and protection, family support, adoption, school attendance and reducing youth crime;
- the harmonisation of policy and provision across Government and with a wide range of stakeholders to improve outcomes for children, young people and families.

Funding requirements and how resources should be prioritised and allocated across each area of Government spending are generally considered as part of the annual estimates cycle and budgetary process. I am sure the Deputy will appreciate that it would be inappropriate for me to comment at this time on any future decisions that may be taken by Government in the context of Budget 2014 on the expenditure allocations for programmes and services falling within the Vote of my Department. However, my overall objective will be to realise funding allocations that reflect expenditure policy priorities and that sufficient resources are directed towards those areas of greatest impact on children and young people.

Question No. 52 answered with Question No. 39.

Question No. 53 answered with Question No. 41.

Question No. 54 answered with Question No. 40.

Child Detention Centres

55. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs if she or her Department has identified any particular deficiencies in the availability of institutional or custodial care for juveniles or minor offenders; if any particular evaluation has been carried out to the requirement in this regard with particular reference to the need to ensure the availability of supervised or institutional care; and if she will make a statement on the matter. [32498/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I assume that the Deputy is referring to custodial accommodation for persons under the age of 18 years, which corresponds to the definition of a child under the Children Act, 2001. At this time, custodial accommodation for those under 18 years is provided on the Oberstown campus, Lusk, Co Dublin and in St Patrick's Institution, Dublin 7. The Oberstown campus accommodates boys aged up to 17 years old and girls up to 18 years of age. Accommodation is currently provided for 17

year old boys in St Patrick's Institution, Dublin 7 which comes under the remit of my colleague, the Minister for Justice and Equality.

The legal detention capacity of the Oberstown campus comprises 24 male bed spaces in Trinity House School, 8 female bed spaces in Oberstown Girls School, and 20 male bed spaces in Oberstown Boys School. However, only 16 of the certified 24 male bed spaces in Trinity House School are currently available for use due to staffing shortages. The Irish Youth Justice Service, which is based in my Department, is currently in discussions with management and staff on the Oberstown campus on an initiative to reorganise the detention capacity for males and female bed places, in order to meet the increased demand for male bed places from the courts. This is being progressed so as to achieve its earliest possible commencement.

With regard to future accommodation, on 2 April 2012 I announced a capital investment package for the National Children Detention Facility project in Oberstown. This project is required in order to give effect to the Programme for Government commitment to end the practice of detaining children in adult prison facilities. I have outlined my commitment to this project on many different occasions and it remains at the top of my agenda. My officials have, in conjunction with the Office of Public Works, completed the design process and secured planning permission for the capital development. The tender process is ongoing at present and this is being overseen by a steering group of officials from my Department and the Office of Public Works. A further announcement on the outcome of the tendering process will be made shortly. The new facilities will increase the capacity on the campus available to the courts from the current maximum capacity of 52 places to 90 places. I am advised that based on recent trends, this should be sufficient to meet the requirements of the courts for children detention places.

Question No. 56 answered with Question No. 40.

Child Protection Issues

57. **Deputy Jonathan O'Brien** asked the Minister for Children and Youth Affairs the measures she will take to address the deficiencies in social work provision in Health Service Executive North Lee area; her plans to implement the recommendations arising from the Ombudsman for Children's Investigation of April 2013; and if she will make a statement on the matter. [32594/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The Ombudsman investigation arose from a complaint submitted by a social work staff member from the North Lee social work team which related to the level of referrals received by the duty team and the difficulties in responding to this, specifically referrals regarding child welfare and protection. A number of serious concerns were raised throughout the report and in its conclusions. The HSE was given an opportunity to respond to the Ombudsman's report, and those responses are reflected throughout, including in the recommendations section. The HSE indicated they were firmly of the view that at no time either previously or currently has there been Immediate or Priority 1 cases left unattended to, and that at all times these cases are receiving a service and depending on their ranking will either receive a service within 24 hours or within 7 days. In relation to Priority 2 cases, HSE South advised that the necessary network checks are completed when there is capacity within the team to deal with same. At no time are these cases left unscreened as review has taken place by the Team Leader. In relation to screening of duty referrals the HSE advised the Ombudsman that all referrals received are recorded by a Social Worker, the intake record is completed and more clarifying information is sought if possible from the Garda, other HSE personnel/agencies or the referrer. Any case that warrants immedi-

ate attention is discussed immediately with the Team Leader or any on site manager. Overall, HSE National concluded that the area was aware and taking steps to address the issues raised. A decision was made to keep the area under review which occurs at senior management meetings with the National Director and Regional Managers. It should be noted that the level of social work service required will vary greatly, depending on the circumstances of each case, and this can put a high degree of pressure on the overall social work resource.

The Ombudsman made recommendations in respect of external audit, monitoring of referrals and review of unallocated cases, HSE procedure for management and assurance of child protection cases by file audit, clarification of child protection procedures, social work caseload, public accountability and recording of professional activity. HSE responses to these recommendations include:

- During the course of the Ombudsman investigation, the HIQA commenced its inspection of child protection services. The North Lee area fully co-operated with a targeted HIQA inspection, and a report of this inspection is awaited;

- A review of cases in North Lee is under way as recommended by the Ombudsman;

- Referral levels and resource capacity are to be reviewed on a monthly basis;

- A national audit of cases in social work services has commenced;

- Practice guidance has been clarified in the HSE's Child Welfare and Protection Practice Handbook;

- The HSE is actively monitoring areas where there are growing caseloads and waiting lists in order that these areas can be supported;

- Progress continues to be made in respect of the National Childcare Information System going live next year.

More generally, reform of the social work service is an ongoing priority process within HSE Children and Families, and this will continue when the new Child and Family Agency is established. Work is under way to ensure that all areas work to a national policy on review of cases awaiting allocation. Where immediate actions are needed to safeguard a child the duty social work team provide the service. For instance where a child needs to come into care, or where an assessment is deemed a priority or a case conference is required, the duty social work team undertake this work. The HSE has rolled out the Standardised Business Process and is bedding it down across the 17 areas to make sure services are provided on the basis of a consistent assessment and categorisation of risk. The recently commenced inspection of child protection services by HIQA will assist in the identification of areas where improvement is required and in time will support safer systems for children at risk. It is important to note, as has been highlighted in other reports, the number of referrals in respect of welfare has increased substantially in recent years. What has also been highlighted is the challenge of understanding fully and responding to welfare concerns underneath which may lie more serious neglect issues. What is critical is the support of those reporting concerns to give as much information as is possible to ensure a 'complete' picture and to ensure that the persistence and ongoing nature of concerns is clear to the HSE. If this is highlighted quickly where necessary the child's case can be escalated to the appropriate level of priority. The new prioritisation system provides not only assignment to a priority category on intake of a referral, but a review of individual prioritisation by Principal Social Workers on an ongoing basis, as well as an overall assessment of numbers and levels of prioritisation across the area and across the country to ensure consistency of approach and to identify areas of high pressure. The Ombudsman for Children's report is important, and once

again a range of service delivery issues have been highlighted. Improvements to the social work services, and integration of these services with a range of other child and family services, continue to be a high priority for the CEO designate of the Child and Family Agency, Mr. Gordon Jeyes, and his senior management team.

Diplomatic Representation Issues

58. **Deputy Andrew Doyle** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will outline the status of military attachés to foreign embassies and Governments here, either on a resident or non-resident basis; if he will outline in tabular form the current list of nations that have military attachés here; and if he will make a statement on the matter. [32630/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): Members of diplomatic missions to Ireland are appointed in accordance with the terms of the Vienna Convention on Diplomatic Relations 1961, as given effect in Irish law by the Diplomatic Relations and Immunities Act 1967, as amended. Article 7 of the Convention makes provision for the sending state to freely appoint the members of the staff of the mission, but provides that in the case of military, naval or air attachés, the receiving state may require their names to be submitted beforehand, for its approval. Our practice is to require that the names of military, naval or air attachés be submitted for prior approval, which is done through diplomatic channels. Military, naval or air attachés are regarded as members of the diplomatic staff of the mission to which they are accredited and are accorded the appropriate privileges and immunities under the Vienna Convention. A table of the states with accredited Defence Attachés is provided below.

Country
Algeria
Argentina
Australia
Austria
Botswana
Canada
Chile
Croatia
Finland
France
Georgia
Germany
Greece
Hungary
Israel
Italy
Mexico
Nigeria
Norway
Pakistan
Russian Federation
Saudi Arabia

Slovak Republic
Slovenia
Spain
Sweden
Switzerland
The Netherlands
Turkey
Ukraine
United Kingdom
United States of America
Zambia
Zimbabwe

Passport Applications

59. **Deputy Andrew Doyle** asked the Tánaiste and Minister for Foreign Affairs and Trade the current expected and waiting times for all the various forms of applying for a passport, including the Passport Express Service; and if he will make a statement on the matter. [32628/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): Passport demand in Ireland is seasonal. Almost 50% of all passport applications are received in the four months April–July. Currently the passport service is receiving almost 19,000 applications a week. This contrasts with 8,000 applications per week in December. For this reason, as we advise applicants on the information note accompanying the form and our website, during the peak summer period application processing times for this service can lengthen. Due to the present surge in demand, the turnaround time for passport express applications received through the Passport Express system is currently running between 11 and 12 working days, rather than the normal 10 working days. Measures have been taken to return current turnaround times back to standard service levels at the earliest opportunity. The Passport Service regrets the delay and any difficulties caused in this regard. For those who have non-emergency urgent travel, the Passport Service now operates an appointment system and extended opening hours in our Molesworth St office. People can also attend our Cork public office. It should be noted however that the minimum turn-around time for a passport is 3 working days.

Approximately 20% of applications submitted to the public counter are processed in less than 5 working days as these passports are required for non-emergency urgent travel. Non urgent applications received at the public counter are processed in 15 days and first time adult applicants, which require more stringent checking, and who apply at the counter have a 20 day turnaround.

Undocumented Irish in the USA

60. **Deputy Andrew Doyle** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will publish a copy of the letter he recently sent to the United States Secretary of State, Mr. John Kerry, regarding immigration reform in the United States; and if he will make a statement on the matter. [32649/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): The welfare of the Irish abroad is a priority for the Government and I have raised the issue of im-

migration reform with Secretary of State Kerry in person and most recently in a letter where I set out Ireland's concerns relating specifically to proposed amendments to the J1 visa and the renewal of Ireland's working holiday agreement with the United States. In my letter, I expressed concerns that certain provisions of the US Senate's bill on immigration reform could have the inadvertent consequence of severely restricting the operation of the J1 summer programme. I noted the significant level of Irish participation in the J1 programme and asked for the Secretary's assistance in resolving these concerns. I also raised the issue of the Ireland-US Intern Work and Travel Pilot Programme, which is due for renewal later this year and which is the subject of ongoing discussions at official level. Secretary Kerry and I had discussed the renewal of the programme during my St. Patrick's Day visit to Washington DC. I am pleased that the Bill passed last week by the Senate has resolved issues surrounding the future operation of the J1 summer programme. I do not propose to publish a full copy of my correspondence with Secretary of State Kerry.

EU Issues

61. **Deputy Andrew Doyle** asked the Tánaiste and Minister for Foreign Affairs and Trade if he believes that there is significant overlap in the Foreign Affairs Council and the General Affairs Council in the European Council; if he further believes they should be merged into one council; if he will outline the proposed reforms Ireland intends to put forward in the future in this area; and if he will make a statement on the matter. [32652/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): It will be recalled that under the terms of the EU Treaties prior to the entry into force of the Treaty of Lisbon, the functions of the Foreign Affairs Council (FAC) and the General Affairs Council (GAC) were combined in one formation of the Council of the European Union, the General Affairs and External Relations Council. The provisions of the Treaty of Lisbon, which entered into force on 1 December 2009, separated out these distinct functions to constitute the two separate formations of the Council which exist today – the Foreign Affairs Council and the General Affairs Council. The Treaty on European Union (Article 16) confers on the GAC two primary functions: first, to “ensure consistency in the work of the different Council configurations”; and to “prepare and ensure the follow-up to meetings of the European Council”. The GAC thus has a cross-cutting coordination role among the various formations of the Council and it endeavours to do this, most evidently, through its role in preparing for and ensuring the follow-up to meetings of the European Council. The GAC is chaired by the rotating Presidency, which over the last six months, has been undertaken by the Tánaiste and Minister for Foreign Affairs and Trade. Article 16 in the Treaty on European Union separately confers on the FAC two primary functions: first, to “elaborate the Union's external action on the basis of strategic guidelines laid down by the European Council”; and to “ensure that the Union's action is consistent”.

The FAC deals with the EU's external action, including common foreign and security policy, development cooperation and trade. It is tasked with framing the Union's common foreign and security policy and it takes the decisions necessary to define and implement it on the basis of guidance from Heads of State or Government. The FAC, along with its chair the High Representative of the Union for Foreign Affairs and Security Policy, is also tasked under the Treaties with ensuring the unity, consistency and effectiveness of action by the Union. The FAC and GAC formations of the Council each undertake substantive and distinct bodies of work. The only overlap of note that occurs between the two relates primarily to the GAC's role in preparing the work of the European Council, which by definition draws upon and engages with the work of many other Council formations, including that of the FAC. I am happy with the current division of functions, as set out in the Treaties.

United Nations Resolutions

62. **Deputy Andrew Doyle** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will detail the names of resolutions and the dates that Ireland has voted for and against at the United Nations General Assembly from 2011 to the present; and if he will make a statement on the matter. [32653/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): The information sought by the Deputy calls for very substantial and detailed research. It will not unfortunately be possible to provide this information within the time available. I should say that officials from my Department would be happy to meet with the Deputy, when convenient, to discuss these and other questions he has asked relating to Ireland's membership of the United Nations.

Overseas Development Aid Provision

63. **Deputy Arthur Spring** asked the Tánaiste and Minister for Foreign Affairs and Trade Ireland's current strategy on overseas aid; and if Ireland's commitment to overseas aid until 2015 will be met. [32691/13]

Minister of State at the Department of Foreign Affairs and Trade (Deputy Joe Costello): The Government remains committed to Ireland's overseas aid programme. Our new Policy on International Development, "One World, One Future", clearly sets out our vision for a sustainable and just world, and our goals and areas of focus for the coming years. It reaffirms the Government's commitment to international development and its centrality to our foreign policy. The new policy restates the commitment in the Programme for Government to achieving the UN target of providing 0.7% of Gross National Product (GNP) for Official Development Assistance (ODA) when economic circumstances permit. Over the past two years, the Government has broadly stabilised the budget for development assistance. This is a significant achievement in the context of the very difficult conditions facing the country. For 2013 we have allocated a total of €622 million for ODA. Of this €497 million is managed by my Department under Vote 27 - International Cooperation. The remainder is made up of ODA eligible contributions from other Government Departments and Ireland's share of the EU Development Cooperation Budget.

United Nations Reform

64. **Deputy Andrew Doyle** asked the Tánaiste and Minister for Foreign Affairs and Trade his views on the establishment of a United Nations parliamentary assembly to scrutinise the work of the UN; if established, the way he envisages Ireland's participation in the parliamentary assembly; if he will detail Ireland's position, stance and contribution to the establishment of such an assembly to date; and if he will make a statement on the matter. [32706/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): Ireland is steadfastly committed to the United Nations and the principles and values of the UN Charter. As a strong supporter of the United Nations, we engage actively in discussions and actions at UN level to promote reform of the Organization across a range of priority areas. In the context of this wider engagement on UN reform, proposals which aim to improve the effectiveness of the UN and the contribution it makes to global governance are of interest. I have noted in this regard proposals for the establishment of a UN Parliamentary Assembly. As such

ideas are still at an early stage of development and consideration, it would be premature to offer detailed views at this time.

Public Procurement Regulations

65. **Deputy Éamon Ó Cuív** asked the Tánaiste and Minister for Foreign Affairs and Trade the number of projects that were approved for funding by his Department conditional on a bond being produced from a builder; the amount of the default by builders where such bonds were in place; the amount recovered through the use of bonds in such cases; and if he will make a statement on the matter. [32720/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): The premises occupied by my Department within the State are owned by or leased through the Office of Public Works which normally leads on the procurement for any necessary refurbishment or maintenance projects. Accordingly, the Department has not approved funding for projects within the State conditional on a bond being provided and consequently no defaults occurred nor were any amounts recovered through the use of such bonds. For works abroad, my Department acts in accordance with expert advice on local practice in the matter. A type of bond was put in place in respect of two projects in The Hague. These are the subject of ongoing litigation following non-completion of works by contractors.

Official Engagements

66. **Deputy Andrew Doyle** asked the Tánaiste and Minister for Foreign Affairs and Trade the engagements he had in Zagreb, Croatia, to mark the celebration of Croatia's accession to the European Union on 30 June 2013; if he will detail other engagements he had in Croatia to mark the occasion; and if he will make a statement on the matter. [32741/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): I was honoured to attend the accession celebrations in Zagreb, representing both the outgoing EU Presidency and Ireland, as we welcomed Croatia as the 28th member state of the European Union. The official programme was organised by the Croatian government. In addition to attending the official dinner hosted by H.E. Mr Ivo Josipović, President of the Republic of Croatia and H.E. Mr Zoran Milanović, Prime Minister of the Republic of Croatia, I also participated in the official ceremony in central Zagreb, speaking just before midnight on behalf of the outgoing Irish Presidency. The other speakers at this event were the Croatian President, Mr Jose Manuel Barroso, President of the European Commission, Ms Dalia Grybauskaitė, President of Lithuania representing the incoming EU Presidency, Mr Herman Van Rompuy, President of the European Council, and Mr Martin Schulz, President of the European Parliament. The Irish Presidency prioritised the area of enlargement, which we see as a vital tool for promoting peace, democracy and prosperity in Europe. Croatia's accession is testament to this, and Croatia will be an inspiration for its neighbours in the region.

Foreign Conflicts

67. **Deputy Andrew Doyle** asked the Tánaiste and Minister for Foreign Affairs and Trade his views on the current mass demonstrations taking place in Egypt, notably in the capital city of Cairo; if he will identify if any Irish citizens have been caught up in the current demonstrations taking place; the plan Ireland has in place for assisting Irish citizens in the region; if he

will outline, in view of other governments pulling their staff out of their embassies in the country, if he plans to do likewise; and if he will make a statement on the matter. [32743/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): I am obviously following current developments in Egypt closely and have already made clear my great concern at last night's events which saw the removal, following military intervention, of President Morsi's democratically elected government and the suspension of the Egyptian constitution. I also regret the violence which has occurred following large-scale and otherwise peaceful demonstrations in Cairo and many other Egyptian cities in recent days which has now claimed up to fifty lives and resulted in injuries to hundreds of others. I am also greatly concerned by reports of utterly unacceptable gender-based attacks on women taking part in or observing the demonstrations. The priority at this critical juncture stage must be for restraint and genuine efforts on the part of all sides to defuse the crisis and to seek through negotiations to resolve the long-standing political and economic grievances which have prompted so many millions of Egyptians to take to the streets. I have already called for a fully inclusive process of political dialogue, aimed at bringing about the swiftest possible restoration of civilian-led government following free and fair elections, to be initiated as soon as possible. My Department has not received any reports of Irish citizens being caught up in the current protests. The Department's current travel advice for Egypt, which is constantly monitored and updated as necessary, strongly advises Irish citizens to avoid all non-essential travel, with the exception of the Red Sea resorts. We also advise Irish citizens to avoid all protests and demonstrations in Egypt and to monitor the local media for updates on the situation. If caught up in a demonstration, Irish citizens should leave the area immediately and should not attempt to take photographs.

The Embassy in Cairo is also in contact with Irish citizens currently in Egypt who have registered their contact details with the Department or Embassy; the intention is to call their attention to the Department's updated travel advice. Irish citizens in Egypt are encouraged to register their contact details, if they have not already done so, via the Department's website: www.dfat.ie.

At the time of writing, the US Department of State has ordered the departure of non-emergency US governmental personnel and family members at the US Embassy in Cairo due to the ongoing unrest. There are no plans, at this time, for Ireland or other EU embassies to do likewise. Our Embassy in Cairo and the Consular Assistance section in Dublin stand ready to provide consular assistance to any Irish citizens who may require it and they will continue to monitor the situation.

Diplomatic Representation Issues

68. **Deputy Andrew Doyle** asked the Tánaiste and Minister for Foreign Affairs and Trade if he is concerned regarding the recent revelations of apparent spying and surveillance by the United States of America on the EU's delegations to both the US in Washington and the UN in New York; if his attention has been drawn to any such concerns regarding this taking place on member states' diplomatic missions within the US, notably the Irish Embassy, consulates general and any other diplomatic activity in the US; if he shares the same concerns as the President of the European Parliament, Martin Schulz, and the Chairman of the European Parliament's Committee on Foreign Affairs, Elmar Brok; and if he will make a statement on the matter. [32747/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): The reports of alleged US surveillance of EU premises are naturally of concern to all EU Member States, Ireland included. The EU's External Action Service has sought urgent clarification of

the situation in both Washington and Brussels. I understand that High Representative Ashton has also spoken directly to Secretary of State Kerry in a meeting in Brunei. The Government has already expressed our concerns to the US Embassy in Dublin at a senior official level, including that we expect clarification to follow on the EU request. It is important that there is clarity and transparency on this matter as soon as possible. Ireland highly values its relationship with the US both bilaterally and in the context of the EU. We expect to continue our cooperative partnership, in particular as we begin to work on the Transatlantic Trade and Investment Partnership.

International Bodies Membership

69. **Deputy Andrew Doyle** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will outline each international organisation, international agency or international body of which Ireland is a member and for which his Department or a State body or agency under the aegis of his Department is responsible or co-responsible; and if he will make a statement on the matter. [32811/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): Ireland is committed to upholding a multilateral approach to international relations, based upon the equality of States and the rule of law. This commitment has been expressed through our membership of, and active participation in, international organisations such as the European Union and the United Nations. Membership of these organisations has enabled us to promote the interests, value and objectives which we, as a people, have traditionally held to be important. While overall responsibility for Ireland's membership of the United Nations is invested in my Department, there are a number of UN specialised agencies which are classed as international organisations in their own right and for which responsibility lies with other Departments, and State agencies. In addition, responsibility for a number of international organisations previously held by my Department has transferred to Department of the Taoiseach.

The following is a list of international organisations for which Ireland's membership is a matter for my Department:

United Nations, including:

Comprehensive Test Ban Treaty Organisation

Organisation for the Prohibition of Chemical Weapons

Human Rights Council (a 3-year term beginning January 2013)

European Union

Organisation for Security and Cooperation in Europe

Council of Europe

Union for the Mediterranean

Partnership for Peace

Euro-Atlantic Partnership Council

International Organisation for Migration

Other International Organisation/Bodies

Hague Conference on Private International Law

Permanent Court of Arbitration

International Institute for the Unification of Private Law (UNIDROIT)

International Tribunal for the Law of the Sea (ITLOS)

International Seabed Authority (ISBA)

International Criminal Court (ICC)

Carbon Tax Implementation

70. **Deputy Brian Stanley** asked the Minister for Finance if he will outline the level of carbon tax, if any, to be charged on peat which is extracted for domestic turf cutting either at the point of extraction, when it is sold in plots on a bog or when it is retailed. [32611/13]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners, who have responsibility for the collection of solid fuel carbon tax, that turf extracted for domestic use as a solid fuel falls within the definition of “other peat” in section 77 of the Finance Act 2010, as amended. As such, it becomes liable to solid fuel carbon tax at a rate of €13.62 per tonne under the following conditions: when it is supplied as a solid fuel for the first time in the State.

No liability to solid fuel carbon tax arises where a person is extracting peat solely for his or her own domestic use. If a person is given or holds a right to a plot for the purpose of peat extraction, for example under turbary rights, lease, etc. a liability to solid fuel carbon tax does not arise on peat extracted by the person from that plot for their own use as a solid fuel, provided the peat is not supplied onward. A liability for carbon tax will arise if that extracted peat is sold onward in the State as a solid fuel. The person supplying that peat for the first time is accountable for and liable to pay the tax.

IBRC Liquidation

71. **Deputy Pearse Doherty** asked the Minister for Finance if the special resolution filed in the Companies Office on 18 February, which sets out that the sole member of the company, shall be entitled at any time by notice in writing to the company to suspend any or all of the powers of the directors of Irish Bank Resolution Corporation, in special liquidation, under the Companies Acts and under the articles of association, has been activated; and if he will provide details of any such notice serviced on IRBC and which directors powers under the Companies Act or the articles of association that have been suspended. [32750/13]

Minister for Finance (Deputy Michael Noonan): Following the passing of the Special Resolution, referred to in the Deputy’s question, on 6 February 2013 (which became effective immediately) the Directors of Irish Bank Resolution Corporation Limited were instructed not to exercise any of the powers conferred upon them by the Companies Acts, the articles of association or otherwise pending further instructions from the Minister for Finance. At the same time, the powers of the Directors of Irish Bank Resolution Corporation Limited were vested in a Relevant Person (being an employee of KPMG) until further notice. Following the signing of the Special Liquidation Order on 7 February 2013 the powers of the board of directors of IBRC became vested in the Special Liquidators.

Companies Law Issues

72. **Deputy Pearse Doherty** asked the Minister for Finance the obligations and duties a special liquidator has under the Companies Act. [32751/13]

Minister for Finance (Deputy Michael Noonan): The powers and duties of the Special Liquidators under the Companies Acts are generally those which are applicable to a liquidator appointed pursuant to the Companies Acts, save that the Minister for Finance may issue instructions and directions to the Special Liquidators to ensure the orderly winding up of IBRC in accordance with the purposes of the IBRC Act and the public interest.

Companies Law Issues

73. **Deputy Pearse Doherty** asked the Minister for Finance the rights under the Companies Act or other relevant Acts a creditor has when a company is in special liquidation. [32752/13]

Minister for Finance (Deputy Michael Noonan): At the outset it is important to note that the Special Liquidators have been appointed to Irish Bank Resolution Corporation pursuant to the Irish Bank Resolution Corporation Act 2013 and the concept of special liquidation is not relevant to any company other than Irish Bank Resolution Corporation Limited.

Creditors of IBRC have rights that are similar to creditors of companies that have been wound up under the Companies Acts. Those rights are largely determined by the priority afforded to them under the Companies Acts and such priority has not been modified under the Irish Bank Resolution Corporation Act 2013.

IBRC Liquidation

74. **Deputy Pearse Doherty** asked the Minister for Finance if it is intended that the provision of the Irish Bank Resolution Corporation Act 2013 is to have retrospective legal effect and override the specific provisions of the Companies Act that existed prior to the appointment of the special liquidator. [32753/13]

Minister for Finance (Deputy Michael Noonan): The Deputy is directed to Section 10 of the Irish Bank Resolution Corporation Act 2013 (the “**IBRC Act**”), which sets out the application of the Companies Acts to Irish Bank Resolution Corporation (“**IBRC**”). The IBRC Act details those provisions of the Companies Acts which do not apply to IBRC, the provisions of the Companies Acts that apply to IBRC and the modifications to the existing Companies Acts which will apply to IBRC. The IBRC Act does not have retrospective legal effect.

IBRC Liquidation

75. **Deputy Pearse Doherty** asked the Minister for Finance if the special liquidator at Irish Bank Resolution Corporation has filed a statement of affairs; and if not, the reason. [32754/13]

76. **Deputy Pearse Doherty** asked the Minister for Finance the action being taken to ensure the filing of a statement of affairs for Anglo Irish Bank as at the date of the appointment of the special liquidator required under the Companies Act. [32755/13]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 75 and

76 together.

Under Section 224 of the Companies Act 1963, the statement of affairs is required to be filed and verified by the persons who are directors and secretary (or by other persons as defined under Section 224) of IBRC at the date of the appointment of the liquidator. The Special Liquidators are currently liaising with the Directors/ Secretary of IBRC who are in the process of preparing the statement of affairs.

IBRC Liquidation

77. **Deputy Pearse Doherty** asked the Minister for Finance with regard to the announcement of proceedings by the special liquidator against the former directors of Irish Nationwide Building Society, the position on taking similar civil proceedings against former directors of Anglo Irish Bank who served at executive and non-executive level-up to the collapse of the bank. [32756/13]

Minister for Finance (Deputy Michael Noonan): As the Deputy is aware, in March 2012, the then Boards of INBS and IBRC, having considered legal advice, decided in all the circumstances to institute proceedings against former directors of INBS. These proceedings have been continued by the Special Liquidators following their appointment in February 2013. I am advised by the Special Liquidators that similar proceedings have not been taken against the former directors of Anglo Irish Bank but that the position is subject to on-going review by the Special Liquidators.

IBRC Liquidation

78. **Deputy Pearse Doherty** asked the Minister for Finance under what criteria the special liquidator continues to maintain proceedings on behalf of Irish Bank Resolution Corporation; and if all legal proceedings are assessed in terms of a cost, benefit analysis. [32764/13]

Minister for Finance (Deputy Michael Noonan): I have been advised by the Special Liquidators that they proceed with cases if they believe there are compelling reasons to do so. The decision to proceed is made on a case by case basis having given full consideration to their duties as Special Liquidators and in particular the maximising of commercial return for the creditors.

National Pensions Reserve Fund Administration

79. **Deputy Kevin Humphreys** asked the Minister for Finance if he has held any discussions with the National Pensions Reserve Fund, the Department of the Environment, Community and Local Government or Dublin City Council about the use of funds in the NPRF for the funding of the incinerator at Poolbeg, Dublin 4; if he will provide details of any such discussions; if he will outline his position on this matter; and if he will make a statement on the matter. [32778/13]

Minister for Finance (Deputy Michael Noonan): The National Pensions Reserve Fund was established in 2001 to meet as much as possible of the costs of social welfare and public service pensions from 2025 when these costs are projected to increase significantly¹ due to the ageing of the population.

Under the National Pensions Reserve Fund Act 2000, the National Pensions Reserve Fund Commission controls and manages the National Pensions Reserve Fund (NPRF). The Commission has discretionary authority to determine the Fund's investment strategy in accordance with the Fund's statutory investment policy of securing the optimal total financial return provided the level of risk to the moneys held or invested is acceptable to the Commission.

The NPRF does not comment on potential investments for reasons of commercial confidentiality. For various reasons not all opportunities considered by the NPRF necessarily result in an investment. Where the NPRF does ultimately make an investment commitment, these are detailed each year in the Portfolio of Investments section of its Annual Report and where significant are announced at the time.

Property Taxation Administration

80. **Deputy Brendan Smith** asked the Minister for Finance if he will outline the exact financial liability in 2013 for a person who has a second home in relation to property tax liability and non-principal private residence liability; and if he will make a statement on the matter. [32626/13]

Minister for Finance (Deputy Michael Noonan): For 2013, a person who owns a second home will have a half year Local Property Tax (LPT) liability on their primary residence and their second home, and a €200 Non-Principal Private Residence Charge (NPPR Charge) on their second home (non-principal private residence).

The NPPR Charge, which is a matter for my colleague the Minister for the Environment, Community and Local Government, is an annual charge of €200 introduced by the Local Government (Charges) Act 2009, as amended by the Local Government (Household Charge) Act 2011. It applies to a residential property which is not used as the owner's sole or main residence, with limited exemptions. Liability to pay the NPPR Charge is determined on the basis of ownership of the property in question on the "liability date", which is 31 March for 2013.

A liability to LPT is based on the chargeable value (market value) of a residential property on the valuation date and arises where a person owns a residential property on the liability date which is 1 May 2013 for the year 2013 and, for subsequent years, 1 November in the preceding year (that is, the liability date for 2014 is 1 November 2013). Properties valued up to €1 million are organised into valuation bands, with an initial band of €0 to €100,000 and 18 bands from €100,001 to €1 million with a range of €50,000 in each band. Liability is calculated using the mid-point of the appropriate band. For properties valued in excess of €1 million, liability is calculated using the actual chargeable value.

It is therefore not possible to outline the exact LPT and NPPR Charge liability for 2013 for an individual who owns a second home without knowing the chargeable value of the properties.

The inter-Departmental Group chaired by Dr Don Thornhill on the design of a property tax (the "Thornhill Group") recommended that the NPPR Charge should be absorbed into the LPT as a separate supplemental tax, in addition to the LPT at the standard level applying to non-principal private residences. The Government did not accept this recommendation. The NPPR Charge will be collected in 2013, when a half-year LPT applies, but will be discontinued thereafter. The Government decided to extend the NPPR Charge into 2013 to ensure as smooth a transition as possible for local authorities pending the introduction of the full LPT.

Official Engagements

81. **Deputy Kevin Humphreys** asked the Minister for Finance if he will provide a copy of the attendance record book for his Department on 29 September 2008 and 30 September 2008; and if he will make a statement on the matter. [32640/13]

82. **Deputy Kevin Humphreys** asked the Minister for Finance if he will provide a copy of the attendance record book for his Department for the month of September 2008; and if he will make a statement on the matter. [32641/13]

Minister for Finance (Deputy Michael Noonan): Please find attached as requested, a copy of the attendance record book for September 2008 for my Department. Please note that although the attached is the only record of visits made to my Department during the period in question, other visits may have taken place, especially outside office hours, that may not have been recorded. It should also be noted that the information requested by the Deputy has already been made public through an FOI request to the journalist Tom Lyons in December 2011.

Copies of the attendance record book are available as attachment Q81.pdf and Q82.pdf at the top of the webpage.

Banking Sector Issues

83. **Deputy Kevin Humphreys** asked the Minister for Finance if his Department or the Central Bank has inquired as to whether there are recordings in the other banks covered by the blanket guarantee surrounding the events before and after the bank guarantee in September 2008; if they have made efforts to secure any such recordings; and if he will make a statement on the matter. [32642/13]

Minister for Finance (Deputy Michael Noonan): As the Deputy will be aware banks are required to record phone calls for a variety of reasons. I have not sought access to these recordings as under statute the Garda Síochána is the body responsible for criminal investigations in the State. I understand that the Garda Bureau of Fraud Investigation have requested access to various documents/materials in the banks, including audio recordings, and that the banks have fully complied with these investigations to date. It would be completely inappropriate for the Department of Finance to act outside of its legal powers and interfere with any investigation that could compromise potential future criminal or civil investigations by the bodies responsible under statute. Any phone calls that are relevant around this period may feature as part of the forthcoming banking inquiry for which the legislation is currently before the House. Under the proposed legislation responsibility is assigned exclusively to the Houses of the Oireachtas to determine the requirement for a formal inquiry, the terms of reference of that inquiry and the procedural and organisational aspects of the inquiry.

Banking Sector Issues

84. **Deputy Andrew Doyle** asked the Minister for Finance the steps he and his officials are taking regarding ensuring the public and businesses are adequately informed on the Single Euro Payments Area; and if he will make a statement on the matter. [32650/13]

Minister for Finance (Deputy Michael Noonan): The aim of the Single Euro Payments Area (SEPA) project is to create a single market for euro-denominated retail payments. SEPA is an EU initiative that will change the way that these payments are processed across Europe.

SEPA will allow payment systems users to make euro-denominated retail electronic payments to payees located in any of the participating countries, using a single payment account and a single set of payment instruments (the participating countries are the EU member states, together with Iceland, Liechtenstein, Norway, Switzerland and Monaco).

In order to raise awareness of SEPA, a communications campaign entitled “Ready for Sepa” began at the end of January 2013 and this culminates in Autumn 2013. This communications campaign is aimed primarily at businesses as SEPA will predominately affect businesses and the campaign is part-funded by the Department of Finance and the participating banks in Ireland. Advertising has appeared in print media, radio and online. The main message of the campaign is to raise awareness and direct businesses to talk to their bank and software provider to ensure a successful migration to SEPA. More information can be found on the website www.readyforsepa.ie. Coupled with this, all of the Commercial banks are advertising separately in the media and communicating directly with their customers.

SEPA comes into full effect on 1 February 2014 and businesses will need to ensure that payroll, direct debit and accounting systems are SEPA-ready. SEPA will introduce new business rules in relation to retail electronic payments and implement common standards in all participating countries for issuing and executing the underlying payment instructions.

The main change for consumers will be how their bank account will be identified for the purposes of making and receiving payments. The BIC (Bank Identifier Code) and IBAN (International Bank Account Number) will be used instead of the National Sort Code and Account Number that they currently use.

The implementation of SEPA within Ireland is overseen by the National Payments Plan (NPP) Steering Committee, which was established in 2012 to modernise the way payments are made in Ireland. In this regard, an NPP-SEPA sub-group has been formed, consisting of representatives of consumers, businesses, Government and banks.

Banking Operations

85. **Deputy Joanna Tuffy** asked the Minister for Finance the information available to him regarding the number of persons that signed up for Life Loans with the Bank of Ireland (details supplied); the implications of this product on the lives of the mortgagors concerned; and if he will make a statement on the matter. [32651/13]

Minister for Finance (Deputy Michael Noonan): As the Deputy is aware, I have no statutory function in relation to banking decisions made by individual lending institutions at any particular time. These are ultimately commercial decisions for the management team and board of each bank, having due regard to their customers and the impact on profitability. Notwithstanding the fact that the State is a minority shareholder in Bank of Ireland, I must ensure that the banks are run on a commercial, cost effective and independent basis to ensure their value as an asset to the State, as per the Memorandum on Economic and Financial Policies agreed with the EU Commission, the ECB and the IMF. A Relationship Framework has been specified that defines the nature of the relationship between the Minister for Finance and each bank. These Frameworks were published on 30 March 2012 and can be found at; <http://banking.finance.gov.ie/presentations-and-latest-documents/>.

As I responded to the Deputy in PQ 37717/12, the Life Loan in question was available from February 2001 to November 2010. It provided long term equity release for people over the age of 65. It was a way of unlocking part of the value of your property, without having to move

home. The amount a customer could borrow depended primarily on their age and the value of the property in question.

No repayments are required on the loan until one of the following events occur:

1. The property is sold
2. The death of the borrower (In joint cases, the last surviving borrower)
3. The property is vacated for six months or more (In joint cases, by the last surviving borrower).

As the maximum loan to value available was 30% of the house value, the incidence of potential negative equity in these cases is not material.

Notwithstanding this, where a repayment event occurs, the Bank's recourse is limited to the market value of the property at the point of sale. The borrower or their estate has no liability for any potential shortfall following sale.

I have been informed that as no payments are required during the term of the loan, by definition it cannot accrue arrears and as a result the product does not fall within the scope of the Bank's MARS strategies.

Tax Rebates

86. **Deputy Tom Fleming** asked the Minister for Finance if he will urgently examine a tax refund in respect of fuel for an adapted car in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [32660/13]

Minister for Finance (Deputy Michael Noonan): I am informed by the Revenue Commissioners that Section 92 of the Finance Act 1989 and the Disabled Drivers and Disabled Passengers (Tax Concessions) Regulations, 1994 (S.I.353 of 1994) provide for permanent relief from the payment of specified maximum amounts of VAT and VRT for persons registered under the scheme and for the repayment of excise duty on fuel.

A claim for repayment of excise duty on fuel for the year ended 25 March 2013 was received from the person (details supplied) on 19 April 2013. This claim was processed and a cheque issued on 9 May 2013. The repayment was based on the total number of litres claimed by the person (1,731) at the relevant excise duty rate of 48 cents per litre. The maximum possible repayment was made in this case.

Money Laundering

87. **Deputy Bernard J. Durkan** asked the Minister for Finance if he has studied recent submissions from the Irish Postmasters' Union in respect of recently announced changes proposed in respect of the anti-money laundering requirements for the purchase of prize bonds, his plans, if any, in respect of AML identification requirements applied to the purchase of prize bonds over €25 in value with particular reference to ensuring against the potential detrimental impact on sale of prize bonds on customers who wish to give them as a gift to friends and-or family members; and if he will make a statement on the matter. [32662/13]

112. **Deputy Dan Neville** asked the Minister for Finance regarding anti-money laundering

requirements for prize bonds purchases, his views on issues and concerns raised by the Irish Postmasters' Union, which believes that a requirement to have anti-money laundering identification requirements applied to the purchase of prize bonds over €25 in value is unnecessarily restrictive and will have a detrimental impact on the sale of prize bonds to customers who wish to give them as a gift to family members and friends (details supplied). [32782/13]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 87 and 112 together.

European legislation has been adopted to protect the financial system and certain professions and activities from being misused for money laundering and financing of terrorism purposes. The anti-money-laundering obligations applicable in Ireland derive from the Third EU Money-Laundering Directive. The Criminal Justice (Money Laundering and Terrorist Financing) Act 2010 was enacted in July 2010 to transpose the Third Money Laundering Directive (2005/60/EC) and its Implementing Directive (2006/70/EC) into Irish Law.

Part 4 of the Criminal Justice Act 2010 sets out the obligations of “designated persons” in relation to customer identification. One such obligation set out in the Act is the obligation to conduct customer due diligence, prior to the establishment of a business relationship. Customer due diligence refers to the identification of customers and that of any beneficial owners of financial products associated with the customer.

An Post and the Prize Bond Company are deemed to be a “*designated person*” under the Criminal Justice Act 2010 as they fall within the definition of a “*financial institution*”. In light of this, An Post and the Prize Bond Company are required to comply with the relevant provisions of the Act in relation to the sale of Prize Bonds to customers. This means, in practical terms, that customer due diligence must be conducted on all purchases of prize bonds, irrespective of value.

The extent to which any particular person or product may be exempted from the customer due diligence requirements of the Act is determined by reference to the Act having regard to the underlying Directives.

The Central Bank of Ireland has no discretion to exempt certain firms from the requirement to comply with the Act.

In light of the above, I am exploring with the National Treasury Management Agency (NTMA) and my colleague the Minister for Justice whether or not exemptions available under the Directives may be applied to small value purchases of prize bonds facilitated on behalf of the State by An Post and the Prize Bond Company.

Banking Sector Investigations

88. **Deputy Joanna Tuffy** asked the Minister for Finance if he will provide an update on the Government's plans in relation to investigating the events that led to the guarantee and nationalisation of Anglo Irish Bank; and if he will make a statement on the matter. [32701/13]

Minister for Finance (Deputy Michael Noonan): The Government has already indicated that it is determined to uncover the causes of the banking crisis in Ireland which has caused such devastation in the Irish economy and necessitated the bailout from our international partners in late 2010. The key mechanism to achieve this will be the establishment of a formal inquiry into the banking crisis enabling all those involved to come before the inquiry and provide the necessary information in order for the truth to be uncovered.

In this regard, the Government has published the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Bill which, once enacted, will provide the legal framework for a banking inquiry to be held within the current constitutional parameters. This legislation is being prioritised both in the Department of Public Expenditure and Reform and in the Office of the Attorney General. I expect that the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Bill to be enacted before the summer recess.

Plean Teanga

89. D'fhiafraigh **Deputy Éamon Ó Cuív** den Aire Airgeadais an bhfuil sé i gceist aige a chinntiú go mbeidh suíomh Idirlín na nDuaisbhannaí dhá-theangach; agus an ndéanfaidh sé ráiteas ina thaobh. [32711/13]

Minister for Finance (Deputy Michael Noonan): Cuireann Gníomhaireacht Bainistíochta an Chisteáin Náisiúnta in iúl dom nach bhfuil aon phlean i gceist faoi láthair leagan dátheangach de shuíomh idirlín na nDuaisbhannaí a chur ar fáil. Tá beartaithe áfach ag Cuideachta na nDuaisbhannaí Teoranta aon chomhfhreagras a fhaigheann sí i nGaeilge a fhreagairt i nGaeilge feasta.

Public Procurement Contracts Data

90. **Deputy Éamon Ó Cuív** asked the Minister for Finance the number of projects that were approved for funding by his Department conditional on a bond being produced from a builder; the amount of the default by builders where such bonds were in place; the amount recovered through the use of bonds in such cases; and if he will make a statement on the matter. [32719/13]

Minister for Finance (Deputy Michael Noonan): In response to the Deputy's question I am not aware of any projects that were approved funding by my Department conditional on a bond being produced from a builder.

Financial Services Regulation

91. **Deputy Éamon Ó Cuív** asked the Minister for Finance if he has commissioned independent advice to assess if the information being given to him by the Financial Regulator and the Central Bank in relation to the banking sector is accurate and correct; the source of such independent advice, if any; and if he will make a statement on the matter. [32734/13]

Minister for Finance (Deputy Michael Noonan): As regulator for the financial sector, the Central Bank has extensive information gathering powers in statute to ensure its ability to gather, verify and challenge information provided to it by financial firms or otherwise acquired by it through inspections, audits, reports and other means. The capacity of the Central Bank in this respect has been further enhanced under the Central Bank (Supervision and Enforcement) Bill, which is expected to be enacted shortly.

A key lesson from the financial crisis is that it is important that key regulatory information is made available to policymakers to ensure that decisions are based on accurate and robust data and analysis. My Department works closely with the Central Bank to ensure that this is the case. I have not commissioned an independent assessment of information provided by the Central Bank to me or my department; that is not to say that the information is accepted at face

value without proper scrutiny and, where appropriate, challenge. However, I am not altogether convinced that relying on such third party assessment would address the core of the issue, particularly in light of experience of the financial crisis regarding supposedly objective third party analysis from auditors and credit rating agencies, for example.

Nevertheless a core focus of recent reforms by the Government and the Central Bank itself has been on enhancing the access to information by the Central Bank and its capacity to provide timely and reliable information and analysis to support sound decision making. Central Bank staffing resources have increased significantly in recent years, as has its investment in technology and training, all of which should enhance the quality of information and analysis it is able to provide.

Deposit Guarantee Scheme

92. **Deputy Éamon Ó Cuív** asked the Minister for Finance the estimated potential exposure to the State in 2008 arising from the guarantee on deposits up to €10,000, as long as that guarantee existed; and if he will make a statement on the matter. [32735/13]

93. **Deputy Éamon Ó Cuív** asked the Minister for Finance the estimated potential exposure to the State in 2008 arising from the guarantee on deposits up to €100,000; and if he will make a statement on the matter. [32736/13]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 92 and 93 together.

The Deposit Guarantee Scheme covers deposits by individuals in participating credit institutions. All deposit-taking credit institutions in Ireland are required by law to participate in the Deposit Guarantee Scheme. The Deposit Guarantee Scheme operates across the EU so deposits with credit institutions from other EU Member States operating in Ireland were similarly guaranteed in 2008. Coverage levels and the scope of Deposit Guarantee Schemes have been harmonised across the EU since 2009.

In the event of a credit institution being unable to repay deposits, the Central Bank is currently authorized to make compensation payments to eligible depositors to a maximum of €100,000 per person per institution.

The Deposit Guarantee Scheme is funded by a charge on the credit institutions participating in the scheme. The cost of compensation payments is met from the balances in the Deposit Protection Account. In the event of the Deposit Protection Account being insufficient to fund a compensation event, any difference is made up using advances from the Central Bank or the State; the remaining participating institutions are then responsible for the repayment of these advances.

The Deposit Guarantee Scheme initially covered deposits up to €20,000. The coverage level of €20,000 was revised, initially by a statement by the Minister for Finance on 20 September 2008 and subsequently under the Financial Services (Deposit Guarantee Scheme) Act 2009, to increase the coverage to €100,000 per person per institution.

The Central Bank of Ireland advises me that it does not have data on the potential exposure as at 2008. While it had figures on the total deposits held by financial institutions in 2008, it did not have the technical capacity or powers to provide the information in this way. This matter has since been addressed in the Central Bank (Supervision and Enforcement) Bill 2011.

As no compensation events occurred in 2008, it was not necessary to draw down from the Deposit Guarantee Scheme in 2008.

Banking Guarantee Scheme Liabilities

94. **Deputy Éamon Ó Cuív** asked the Minister for Finance the estimated potential exposure to the State in 2008 broken down between deposits, tier-one bonds and subordinated bonds arising from the blanket guarantee given at the end of September 2008; and if he will make a statement on the matter. [32737/13]

Minister for Finance (Deputy Michael Noonan): The Deputy will be aware that details of bank funding profiles, including a breakdown of the aggregate amounts of tier 1 bonds and subordinated bonds and other covered liabilities for any given period, received by my Department in the course of official communications and which are not a matter of public record are commercially sensitive.

Information on the breakdown of the total of covered liabilities on 30 September, 2008, is available on public record as published in the Nyberg Report (page 77) in March 2011 <http://www.finance.gov.ie/documents/publications/reports/2011/nybergreport.pdf>. Though this information is not classified in the terms specified by the Deputy, I repeat the figures from the report for the Deputy's convenience.

Bank Profiles	€
Customer Deposits	€173.2bn
Interbank Deposits	€49.1bn
Senior Unsecured Debt	€124.2bn
Financial Instruments	€0.7bn
Asset Covered Securities	€15.8bn
Dated Subordinated Debt	€12.2bn
Total	€375.2bn

IBRC Liquidation

95. **Deputy Pearse Doherty** asked the Minister for Finance the remuneration paid to the special liquidator and the firm of KPMG in fees to date arising out of the liquidation of Irish Bank Resolution Corporation. [32757/13]

96. **Deputy Pearse Doherty** asked the Minister for Finance the budget for the expected total remuneration for the special liquidator at Irish Bank Resolution Corporation. [32758/13]

108. **Deputy Pearse Doherty** asked the Minister for Finance the expected cost for professional fees for the special liquidation of Irish Bank Resolution Corporation for third party fees from the date of the appointment of the special liquidator. [32772/13]

109. **Deputy Pearse Doherty** asked the Minister for Finance if he will provide an update on the actual level of legal fees incurred from the date of the appointment of the special liquidator to May 2013. [32773/13]

Minister for Finance (Deputy Michael Noonan): I propose to Questions Nos. 95, 96, 108 and 109 together.

I have been advised by the Special Liquidators that they are unable to provide an estimate of the total remuneration payable to them or to any third party in the special liquidation of IBRC at this time. The Department of Finance is in regular contact with the Special Liquidators and is closely monitoring the progress of the liquidation. Weekly meetings are held at which the Special Liquidators provide an update on key developments and outstanding issues. Furthermore a monthly report is furnished to the Department detailing the progress on all matters in relation to the liquidation including the valuation and sales process, finance, deposits, derivatives and hedging, legal issues and litigation, HR, IT operations, compliance and governance and overall project management.

I am advised by the Special Liquidators that they will comply with their reporting obligations in relation to the reporting of their fee, of legal fees and other third party fees. As such returns will be filed with the CRO after two years of the liquidation and yearly thereafter as required.

IBRC Liquidation

97. **Deputy Pearse Doherty** asked the Minister for Finance if he will confirm that professional fees due to various firms including (details supplied) at the date of the appointment of the special liquidator have been paid and the amounts; and if he will confirm that any such professional fees due and unpaid at the date of the appointment of the special liquidator in February 2013 will rank with other creditors as unsecured. [32759/13]

Minister for Finance (Deputy Michael Noonan): Due to commercial confidentiality and sensitivities, and also solicitor/client confidentiality, I have been advised by the Special Liquidators that they do not propose to provide details of amounts due and paid by IBRC (in Special Liquidation) to Arthur Cox and/or Ernst & Young.

The Special Liquidators have advised that any amounts owing to these firms prior to the liquidation or any payment outstanding at the conclusion of the liquidation will rank as unsecured.

IBRC Liquidation

98. **Deputy Pearse Doherty** asked the Minister for Finance if he will disclose the details and amount of all creditors paid in six months to the date of the appointment of the special liquidator at Irish Bank Resolution Corporation in February 2013. [32761/13]

Minister for Finance (Deputy Michael Noonan): I am advised by the Special Liquidators that for commercial sensitivity reasons they will not be disclosing this information at this time. However, I am advised that the Special Liquidators will fully comply with their reporting obligations in relation to the reporting of liquidation expenses in due course. As such returns will be filed with the CRO after two years of the liquidation and yearly thereafter as required.

IBRC Liquidation

99. **Deputy Pearse Doherty** asked the Minister for Finance the number of legal cases the special liquidator is involved in as a plaintiff and if he will quantify the number of cases; the amount involved and the financial provision that has been made to cover the special liquidator's legal costs in taking these cases. [32762/13]

100. **Deputy Pearse Doherty** asked the Minister for Finance the number of legal cases the special liquidator is involved in as a defendant; and if he will quantify the number of cases and the amount involved and the financial provision that has been made to cover the special liquidator's legal costs in defending these cases. [32763/13]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 99 and 100 together.

I have been advised by the Special Liquidators that there were 120 cases being taken against IBRC at the date of liquidation. Furthermore, there were 720 cases being taken by IBRC (in Special Liquidation) against a variety of defendants but primarily against borrowers, former staff and former professional advisors.

Due to commercial confidentiality and sensitivities, the Special Liquidators are unable to disclose the amounts involved and the financial provisions in place for legal cases.

IBRC Legal Cases

101. **Deputy Pearse Doherty** asked the Minister for Finance the person who signs off on and authorises the continuation of all legal proceedings and the issue of new proceedings from the date of the appointment of the special liquidator at Irish Bank Resolution Corporation. [32765/13]

Minister for Finance (Deputy Michael Noonan): I have been advised by the Special Liquidators that the continuation or otherwise of all legal actions are signed off by the credit committees of the Special Liquidators.

IBRC Legal Cases

102. **Deputy Pearse Doherty** asked the Minister for Finance the way court awards against the special liquidator will be funded. [32766/13]

103. **Deputy Pearse Doherty** asked the Minister for Finance the way any court awards in favour of the special liquidator will be allocated and applied. [32767/13]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 102 and 103 together.

I am advised by the Special Liquidators that where proceedings were initiated against IBRC prior to the appointment of the Special Liquidators these awards may rank as an unsecured creditor in the liquidation. I am further advised that awards against the Special Liquidators will be treated as a cost of the liquidation and funded through the sale of the assets of IBRC (in Special Liquidation). I am advised that Court awards in favour of the Special Liquidator will become an asset of IBRC (in Special Liquidation) and will be distributed to the creditors subject to the normal legal priorities as set out in the Companies Acts.

IBRC Liquidation

104. **Deputy Pearse Doherty** asked the Minister for Finance the tender process that exists for legal and professional services for the special liquidator. [32768/13]

Minister for Finance (Deputy Michael Noonan): I am advised by the Special Liquidators that where the appointment of advisors or other providers of services is required, IBRC (in Special Liquidation) continues to use the Framework Agreement for engaging such services, put in place through a robust tender process, conducted by the former Management team, prior to Special Liquidation.

IBRC Liquidation

105. **Deputy Pearse Doherty** asked the Minister for Finance the amount of unsecured creditors at the date of liquidation of Irish Bank Resolution Corporation in February 2013. [32769/13]

107. **Deputy Pearse Doherty** asked the Minister for Finance the amount of creditors due arising out of professional fees as at the date of the appointment of the special liquidator at Irish Bank Resolution Corporation in February 2013. [32771/13]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 105 and 107 together.

I have been advised the Special Liquidators are currently agreeing all the creditors' claims and it is therefore too early in the liquidation to ascertain the level of unsecured creditors.

IBRC Liquidation

106. **Deputy Pearse Doherty** asked the Minister for Finance if he will confirm the special liquidator's assertion that due to the level of insolvency of Anglo Irish Bank there will be no distribution to any unsecured creditors. [32770/13]

Minister for Finance (Deputy Michael Noonan): I have been advised by the Special Liquidators that the normal Companies Acts' priorities will apply in this liquidation process. The proceeds from the disposal of IBRC's assets will be used to repay creditors in accordance with normal Companies Acts priorities, and consequently preferred creditors will be paid first and then the debt which NAMA has purchased from the Central Bank will be paid. If there are proceeds available after repayment in full of the NAMA debt, these proceeds will be applied to remaining unsecured creditors.

Question No. 107 answered with Question No. 105.

Questions Nos. 108 and 109 answered with Question No. 95.

IBRC Liquidation

110. **Deputy Pearse Doherty** asked the Minister for Finance his views on the solvency of the Anglo Irish Bank pension scheme at the date of the appointment of the special liquidator in February 2013. [32774/13]

111. **Deputy Pearse Doherty** asked the Minister for Finance the value of the Anglo Irish Bank pension fund at the date of the appointment of the special liquidator in February 2013. [32775/13]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 110

and 111 together.

The Special Liquidators are unable to provide an opinion on the solvency or provide the value of the pension funds at the date of their appointment as the funds are held by independent trustees. The Special Liquidators have advised staff that their pensions are controlled by the scheme trustees who will have to independently assess the impact of the IBRC Act 2013 and the appointment of the special liquidators. I am further advised that the vast majority of IBRC staff were on defined contribution schemes (or no pension scheme) as opposed to a defined benefit scheme and the funds of these pensions schemes are held independently.

Question No. 112 answered with Question No. 87.

Insurance Industry Issues

113. **Deputy Clare Daly** asked the Minister for Finance in regard to UK based insurance companies (details supplied) who have covered tens of thousands of Irish homes, the recourse open to home owners where the company says that the warranty has expired and it has no further responsibility, even though the claim was initiated before the end of the ten year guarantee, given that the Financial Ombudsman has said that they fall outside his remit. [32801/13]

Minister for Finance (Deputy Michael Noonan): The Deputy should note that UK based insurance companies, such as Premier Insurance are not regulated by the Irish Central Bank and therefore do not fall under the remit of the Irish Financial Services Ombudsman.

If a policyholder has a complaint about a UK based insurance company not honouring a claim on a policy, they can refer the matter to the UK financial ombudsman for adjudication. The UK Financial Ombudsman Service can be contacted at <http://www.financial-ombudsman.org.uk/>.

International Bodies Membership

114. **Deputy Andrew Doyle** asked the Minister for Finance if he will outline each international organisation, international agency or international body that Ireland is a member of that his Department or a State body or agency under the aegis of his Department is responsible for or co-responsible for; and if he will make a statement on the matter. [32810/13]

Minister for Finance (Deputy Michael Noonan): In response to the Deputy's question the list of international organisations of which Ireland is a member and which come under the remit of my Department is as follows:

The International Monetary Fund (IMF)

The World Bank Group which consists of following five institutions:

The International Bank for Reconstruction and Development (IBRD) which lends to governments of middle income and creditworthy low-income countries.

The International Development Association (IDA) which provides interest-free loans - called credits - and grants to governments of the poorest countries.

The International Finance Corporation (IFC) which focuses on the private sector and

assists developing countries achieve sustainable growth by financing investment, mobilising capital in international financial markets, and providing advisory services to businesses and governments.

The Multilateral Investment Guarantee Agency (MIGA) which offers political risk insurance (guarantees) to investors and lenders to promote foreign direct investment into developing countries to support economic growth, reduce poverty and improve people's lives.

The International Centre for Settlement of Investment Disputes (ICSID) which provides international facilities for conciliation and arbitration of investment disputes.

The Asian Development Bank (ADB).

The Council of Europe Development Bank (CEB).

The European Investment Bank (EIB).

The Organisation for Economic Cooperation and Development (OECD)

The European Bank for Reconstruction and Development (EBRD)

The European Stability Mechanism (ESM)

The European Financial Stability Facility (EFSF)

Bruegel, the Brussels-based economics think-tank

Details in respect of bodies which come under the aegis of my Department are as follows:

The Office of the Comptroller and Auditor General

The Office of the Comptroller and Auditor General participates in consultations on the setting of global audit standards for State auditors through its membership of European and worldwide associations of national audit institutions. These bodies also serve as a means of sharing information about trends in public sector management and their implications for public audit, and for developing practical audit responses to common or cross-border issues, including the international financial crisis, environmental risks, and development aid. The bodies are as follows:

The International Organisation of Supreme Audit Institutions (**INTOSAI**)

The European Organisation of Supreme Audit Institutions (**EUROSAI**)

The **EU Contact Committee**

The National Treasury Management Agency

The National Treasury Management Agency is a member of the following organisation:

International Capital Market Association (ICMA)

The National Pensions Reserve Fund

The National Pensions Reserve Fund is a member of following organisations:

Principles for Responsible Investment (PRI)

European Private Equity and Venture Capital Association (EVCA)

The Central Bank of Ireland

The Central Bank is Ireland's National Central Bank and financial supervisor. It is a member of the European System of Central Banks. In addition, the Central Bank of Ireland is involved with and participates in a wide number of international organisations including the IMF, the Bank of International Settlements, the Economic and Financial Committee and the European Supervisory Authorities - the EBA, EIOPA, ESMA and with the ESRB.

Bullying of Children

115. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which his Department continues to be made aware of and monitor incidents of various forms of bullying affecting children or teenagers, if adequate mechanisms are in place to meet any such requirements; and if he will make a statement on the matter. [32832/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The information requested by the Deputy is not available in my Department as individual school management authorities are not required to report incidents of bullying to my Department. As the Deputy is probably aware, on 29th of January last, Minister Fitzgerald and I published the Action Plan on Bullying which sets out twelve actions to help prevent and tackle bullying in primary and second level schools. As part of the Action Plan, new anti-bullying procedures for all primary and second level schools are currently in development in consultation with the education partners. These new procedures will include a specific reference to cyber bullying and to requirements for noting and reporting bullying incidents. These will be issued to all schools at the beginning of the next school year.

Schools Building Projects Status

116. **Deputy Patrick O'Donovan** asked the Minister for Education and Skills if he will provide an update on a school (details supplied) in County Limerick; and if he will make a statement on the matter. [32623/13]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm to the Deputy that my Department has no record of receiving an application from the school in question for capital funding towards the project as outlined in the details supplied. The Deputy will be aware that my Department's priority is to ensure that every child has access to a physical school place and that our school system is in a position to cope with increasing pupil numbers. In the circumstances, I wish to advise the Deputy that my Department is not in a position to provide funding for the works concerned.

Third Level Courses Availability

117. **Deputy Dara Calleary** asked the Minister for Education and Skills if his attention has been drawn to an ongoing situation that prevails in relation to a level 8 course at a third level institution (details supplied) in County Westmeath; if he will outline the steps his Department is taking to rectify the situation; if he will outline the measures that will be taken to reassure students undertaking this course; and if he will make a statement on the matter. [32624/13]

Minister for Education and Skills (Deputy Ruairí Quinn): My Department has received representations on behalf of students enrolled on this programme which the institution con-

cerned included in their CAO course offerings for the first time in 2012. I have asked the HEA to engage with the institution to identify how the situation can be resolved for the students and to report to me on the matter as soon as possible.

Special Educational Needs Staffing

118. **Deputy Denis Naughten** asked the Minister for Education and Skills the reason the number of special needs assistants allocated to a school (details supplied) in County Galway has been reduced from 4 to 3; and if he will make a statement on the matter. [32665/13]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to advise the Deputy that the National Council for Special Education (NCSE), through its network of local Special Educational Needs Organisers (SENOs), is responsible for processing applications from schools for special educational needs supports, including the allocation of resource teachers and Special Needs Assistants (SNAs) to schools. The NCSE operates within my Department's established criteria for the allocation of Special Education supports and the staffing resources available to my Department. SNA allocations are made to schools by the NCSE annually taking into account the assessed care needs of children qualifying for SNA support each year. All schools were advised to apply to the NCSE for resource teaching and SNA support for the 2013/14 school year by 15th March 2013. Details of the SNA allocations which have been made to schools by the NCSE for the 2013/2014 school year are now available on the NCSE website www.ncse.ie, which provides details of the SNA allocations for each school on a school by school and per county basis. Where schools have enrolled children who were not considered at the time that these allocations were made, or where schools are seeking a revision to the quantum of SNA support which has been allocated to them for the coming school year, they should contact the NCSE regarding this matter. In general a revision to SNA allocations will only be made in circumstances where schools have enrolled new pupils or where schools can demonstrate that they do not have sufficient SNA posts to cater for the care needs of all of the qualifying children in their school. All schools have the names and contact details of their local SENO. Parents may also contact their local SENO directly to discuss their child's special educational needs, using the contact details available on www.ncse.ie.

Special Educational Needs Staffing

119. **Deputy Denis Naughten** asked the Minister for Education and Skills when a circular on the redeployment of special needs assistants will be circulated; the reason for the delay; and if he will make a statement on the matter. [32666/13]

Minister for Education and Skills (Deputy Ruairí Quinn): As the Deputy will be aware, a new set of proposals for a public service agreement were put forward by the Labour Relations Commission which now form the Public Service Stability Agreement 2013-2016 (the Haddington Road Agreement). The Government has committed to implementing the terms of the Haddington Road Agreement for grades represented by Unions which have signed up to the Haddington Road Agreement. One aspect of the Haddington Road Agreement refers to supplementary assignment arrangements for Special Needs Assistants (SNAs) and as both Unions that represent SNAs namely, SIPTU and IMPACT, have now signed up to the Haddington Road Agreement, the Department has implemented supplementary assignment arrangements for SNAs for the 2013/2014 school year. The detailed arrangements are set out in Departmental Circular 0037/2013 which issued on 1 July 2013. I will forward a copy of the circular and of the Haddington Road agreement to the Deputy.

Student Grant Scheme Appeals

120. **Deputy Brendan Griffin** asked the Minister for Education and Skills if a decision has been made on an appeal of a decision on a student grant application in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [32689/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Officials in my Department have confirmed with Student Universal Support Ireland (SUSI) that the student referred to by the Deputy appealed their decision. SUSI reviewed her application and she was issued with a decision on the appeal on the 26th June 2013. Where an individual applicant has had an appeal turned down in writing by SUSI and remains of the view that the scheme has not been interpreted correctly in his/her case, an appeal form outlining the position may be submitted by the applicant to the Student Grants Appeals Board. The relevant appeal form will be available on request from SUSI.

Schools Refurbishment

121. **Deputy Marcella Corcoran Kennedy** asked the Minister for Education and Skills his plans for the renovation and refurbishment of a school (details supplied) in County Laois. [32696/13]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm that my Department have received correspondence from the school, referred to by the Deputy, in relation to their long term accommodation needs. The school's proposals are currently being assessed and my Department will be in contact with the school authorities, concerned, on the matter shortly.

School Funding

122. **Deputy Mary Mitchell O'Connor** asked the Minister for Education and Skills if he will detail, in tabular form, the moneys expended by his Department in relation to a number of schools (details supplied) in County Kilkenny in terms of teacher salaries, capital funding and any other grant in each of the years 2010, 2011, 2012 and to date in 2013; the number of teachers including support teachers paid by the State in each school in each of the years listed; the number of pupils enrolled in each school in each year listed; and if he will make a statement on the matter. [32697/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The information requested by the Deputy is not readily available but will be forwarded directly to her when it is compiled.

School Enrolments

123. **Deputy Mary Mitchell O'Connor** asked the Minister for Education and Skills if he will outline his policy in respect of gaelscoileanna; his views as to whether special provisions should be in place to facilitate pupils who have attended gaelscoileanna at primary level to access places in gaelscoileanna at second level; and if he will make a statement on the matter. [32698/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The question of enrolment in individual schools is the responsibility of the managerial authority of those schools. My

Department's main responsibility is to ensure that schools in an area can, between them, cater for all pupils seeking places. This may result, however, in some pupils not obtaining a place in the school of their first choice.

It is the responsibility of the managerial authorities of schools to implement an enrolment policy in accordance with the Education Act, 1998. In this regard a board of management may find it necessary to restrict enrolment to children from a particular area or a particular age group or, occasionally, on the basis of some other criterion. This selection process and the enrolment policy on which it is based must be non-discriminatory and must be applied fairly in respect of all applicants.

As the Deputy is aware, I announced at this year's Teacher Union Conferences that I will shortly bring to Government draft heads of a bill – the Education (Admission to School) Bill 2013. I will seek to publish the Bill in draft form to allow a full public discussion, including inputs from the Oireachtas Joint Committee on Education and Social Protection and the education partners. I also intend to publish draft regulations that I plan to make when the Bill is enacted. In bringing forward these proposals, it is not my intention to unnecessarily intrude into how schools do their business. My policy objective is to ensure that every child is treated fairly and that the way in which schools decide on applications is structured, fair and transparent.

As the Bill and the Regulations will be published in draft form, they will also be subject to a lot of detailed scrutiny before becoming law. I will be reflecting carefully on the views expressed in the consultation process to ensure they strike the right balance between school autonomy and fairness in our education system.

Public Procurement Regulations

124. **Deputy Éamon Ó Cuív** asked the Minister for Education and Skills the number of projects approved for funding by his Department conditional on a bond being produced from a builder; the amount of the default by builders where such bonds were in place; the amount recovered through the use of bonds in such cases; and if he will make a statement on the matter. [32717/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The Department of Public Expenditure and Reform (D/PER) has responsibility for implementing national policy on public procurement, particularly in relation to construction procurement. Capital projects funded by my Department are administered in line with the guidance issued by D/PER under the Capital Works Management Framework. Bonds are generally required for projects with an estimated value in excess of €500,000 (including VAT) and most major building projects fall into this category. Smaller projects below €500,000 generally do not require a performance bond due to the nature of those projects i.e. short-term, lower risk, cost of obtaining bond versus contract size, availability of bonding facilities in the market for small value projects and barrier to entry issues for new entrants or SME's. The bond is used to cover costs (up to the value of the bond) that would otherwise accrue to the Employer (i.e. the Department, School, VEC etc.) on foot of a contractor's failure to complete the works. Negotiations are ongoing with regard to a number of major building projects where the contractor became insolvent in the past 3 years and in some cases the full cost of re-tendering and completion of the works is not yet known. The Deputy will appreciate that it is not possible to release commercially sensitive cost information which is currently the subject of negotiations. To do so would undermine the Department's position with regard to such negotiations.

Teaching Qualifications

125. **Deputy Patrick O'Donovan** asked the Minister for Education and Skills the options available to a person (details supplied) in relation to their teaching qualifications; and if he will make a statement on the matter. [32749/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Since March 2006 the Teaching Council is the statutory body for the registration of teachers including the recognition of teaching qualifications. The Council's registration regulations must be met before a person can be registered as a teacher. The Regulations aim to ensure consistency of approach and high standards for entry to the profession.

Teachers are employed by the relevant school authorities. Circular 0025/2013 issued by my Department in May confirms that Section 30 of the Teaching Council Act 2001 will be commenced on 1 November 2013. Subject to very limited exceptions Section 30 will prohibit payment by the State of people employed as teachers in recognised schools unless they are registered with the Teaching Council. Accordingly, applicants with enquiries regarding registration should contact the Council without delay. I understand that there may be a number of courses of action open to a person in this position.

Student Grant Scheme Eligibility

126. **Deputy Joe McHugh** asked the Minister for Education and Skills if he will explain the rationale underpinning the €54,000 threshold that applies for parents who support four children attending third level; his views on the case of a married couple who spend 40% of net household income on supporting four children who attend university; if he will identify the person or office with managerial responsibility within the Civil Service for reviewing this threshold; and if he will make a statement on the matter. [32776/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The reckonable income thresholds for the standard rates of student grant normally track the percentage changes in average industrial earnings for specified reference periods as provided by the Central Statistics Office. Calculation of reckonable income is set out in Article 22(3) of the Student Grant Scheme 2013. The eligibility criteria for student grants including the income thresholds is reviewed annually in my Department and approved by the Department of Public Expenditure and Reform. The income thresholds are stated on a gross income basis representing gross pay before any deductions for income tax or PRSI. On this basis everyone has the same starting point, which eliminates any distortion which may arise from different spending decisions in different households under a net earnings regime. The Deputy may be aware that various income thresholds apply depending on the number of dependent children in a family and/or the number of relevant persons attending further or higher education. In the scenario presented by the Deputy, where there are four dependent children in the family, the highest income limit, which enables a person to receive the some grant support for undergraduate studies (50% of the Student Contribution) is €59,595. In addition, as there are four dependent children pursuing a full-time higher education course, an increment of €4,830 can be applied to the income limit in respect of the 2nd, 3rd and 4th child. In such a scenario, if the family's reckonable income falls below €74,085, they may be eligible for some support under the student grant scheme. A table outlining the income thresholds for the 2013/14 academic year is set out below.

SCHEDULE 1

Reckonable Income Limits for maintenance and fee grants for the 2013/14 academic

4 July 2013

year

Part A

1. Reckonable income limits:

The period 1 January 2012 to 31 December 2012 is the reference period for the academic year 2013/14.

The income limits that apply to tuition students relate to the fee elements only. A tuition student does not qualify for any maintenance grant.

Income limits for Maintenance and Fee grants — Table A

-	Maintenance							
-	Special Rate*	100% Standard Rate	75% Standard Rate	50% Standard Rate	25% Standard Rate	Not payable	Not payable	Not payable
-	Fee elements:							
To qualify for	100% Tuition Fees	50% Tuition Fees	Tuition Fees —Not payable	Tuition Fees —Not payable				
-	100% Student Contribution	50% Student Contribution	50% Student Contribution —Not payable					
-	Field Trip	Field Trip — Notpayable	Field Trip — NotPayable	Field Trip — Notpayable				
-	-	-	-	-	-	-	-	Postgraduate Fee Contribution:
No. of dependent children	-	-	-	-	-	-	-	Payable
Less than 4	€22,703	€39,875	€40,970	€43,380	€45,790	€49,840	€54,240	€31,500
4 — 7	€22,703	€43,810	€45,025	€47,670	€50,325	€54,765	€59,595	€34,615
8 or more	€22,703	€47,575	€48,890	€51,760	€54,630	€59,455	€64,700	€37,580

Additional increments that may be applied to the income limits in Table A for Maintenance and Fee Grants — Table B**

+ increment for each additional relevant person	€0	+	+	+	+	+	+	+
		€4,830	€4,670	€4,670	€4,670	€4,830	€4,830	€4,980

*To be eligible for the special rate of maintenance an applicant's reckonable income on 31 December 2012 must include an eligible payment listed in Schedule 2.

**Increments which may be applied to the relevant income limits.

Special Educational Needs Services Provision

127. **Deputy Patrick O'Donovan** asked the Minister for Education and Skills if he will provide an update on discussions he has had with parents of children with Down's syndrome in relation to the provision of special needs assistants and resource hours. [32783/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The Deputy will be aware of this Government's ongoing commitment to ensuring that all children with special educational needs, including children with Down's syndrome, can have access to an education appropriate to their needs. The policy of my Department is to secure the maximum possible level of inclusion of students with special educational needs in mainstream primary and post-primary schools, or where a special school or special class placement may be required to ensure such placements are provided for. Pupils with Down's syndrome attending mainstream schools may receive additional teaching support in primary schools, either under the terms of the General Allocation Model (GAM) of teaching supports, if the pupil's educational psychological assessment places the pupil in the mild general learning disability/high incidence disability category, or through an allocation of individual additional resource teaching hours which are allocated by the National Council for Special Education (NCSE), if the child is assessed as being within the low incidence category of special need, as defined by my Department's Circular Sp Ed 02/05. Pupils with Down's syndrome may be allocated resources under the category of mild general learning disability, or under the categories of moderate general learning difficulty or Assessed Syndrome, in conjunction with another Low Incidence disability. Pupils with Down's syndrome who have care needs may also receive access to Special Needs Assistant (SNA) support. The NCSE allocates a quantum of SNA support for each school annually taking into account the care needs of all of the qualifying children enrolled in the school, and on the basis of the assessed care needs of the children, rather than solely by reference to a pupil's disability categorisation. I wish to explain to the Deputy that the National Council for Special Education (NCSE) has a formal role under the Education for Persons with Special Educational Needs (EPSEN) Act 2004 in advising me in relation to any matter relating to the education of children and others with disabilities. My Department requested that the NCSE consider the issue of whether Down's syndrome should be reclassified as a low incidence disability in all instances, regardless of assessed cognitive ability, in the context of its preparation of comprehensive advice on how the educational system supports children with special educational needs in schools. The NCSE report on Supporting Children with Special Educational Needs in Schools has now been published and is available on the NCSE website www.ncse.ie. The report recommends that under the new resource allocation model proposed by the NCSE in its report, children should be allocated additional resources in line with their level of need, rather than by disability category. The NCSE has recommended that in the short-term, pupils with Down's syndrome pupils who are in the Mild General Learning Difficulty (Mild GLD) category should continue to be supported by schools' Learning Support allocation in the same way as other pupils with

a Mild GLD. The NCSE policy advice did not recommend that an exception should be made for children with Down syndrome who are in the mild general learning difficulty range, over other children who are in the mild range and who also may have other co-morbid conditions. However, the NCSE report states that it is confident that the introduction of a new allocation model will overcome the difficulty posed by all children with mild general learning disabilities, including children with Down's syndrome, who have additional difficulties and who can be supported according to their level of need and in line with their learning plan process. In the meantime, schools are reminded that they can differentiate the level of learning support granted to ensure that available resources are used to support children in line with their needs. I have requested the NCSE to immediately proceed to establish a Working Group in order to develop a proposal for consideration for a new Tailored Allocation Model, which is set out as one of the principal recommendations of the report. In the course of my recent meeting with Down Syndrome Ireland a number of issues were raised which I consider merit further examination. Accordingly I have asked my officials to consider these issues further and to provide a full response to Down Syndrome Ireland on the issues raised as soon as possible.

Minor Works Scheme Suspension

128. **Deputy Pat Deering** asked the Minister for Education and Skills if he plans to restore the minor works grant in the forthcoming budget in view of the costs of routine repairs schools must carry out and the pressure the abolition of that grant has placed on school finances; if he will explain the reason the capitation grant for special needs classes in mainstream schools is paid in June every year, that is, at the end of the school year; and if he will bring forward this payment to help school budgets. [32788/13]

Minister for Education and Skills (Deputy Ruairí Quinn): When the Minor Works Grant last issued in November 2011 for the school year 2011/2012, I stated that given the need to focus on meeting the demand for additional school places, it was unlikely that funding would be available for the Minor Works Grant in the coming years. This is borne out by the fact that in 2012, 85% of the capital expenditure in the school sector was in respect of large scale projects, additional accommodation and prefab replacement. The balance was expended on site acquisition, emergency works, furniture and equipment provision and commitments arising from earlier years. The capital allocation that is available for the school sector in 2013 is expected to have a similar spend pattern as was the case in 2012 and at this time there are no plans to reinstate the Minor Works Grant.

All recognised national schools running costs are met by my Department's schemes of capitation and ancillary service grants. Schools receive capitation funding in January and June of each year. Enhanced rates of capitation funding are paid to schools in respect of pupils with special educational needs who attend special schools or special classes attached to mainstream schools. The first moiety, paid in January of each year, of 70% is calculated using the enrolment figures from the previous school year. However, when the second moiety is being paid in June the current year enrolment figure is taken into account and the first moiety is reconciled at that stage. The ancillary services grant is paid to Schools in March of each year.

School Staffing

129. **Deputy Clare Daly** asked the Minister for Education and Skills the options open to Gaelscoil Ros Eo, which has 31 new students enrolled for junior infants but, with a small number of pupils who were enrolled last year leaving, might not be approved for an extra teacher as

its average would be below 28 pupils to 1 teacher; and if he is aware that the consequence of this is that the older classes will have to have three syllabi taught in the one class with 30 children, which would put them at a significant disadvantage vis-à-vis their peers. [32797/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The criteria used for the allocation of teachers to schools is published annually on the Department's website. The key factor for determining the level of staffing resources provided at individual school level is the staffing schedule for the relevant school year and pupil enrolments on the previous 30 September. The staffing schedule is the mechanism used for the allocation of classroom teachers to all primary schools. It operates in a clear and transparent manner and treats all similar types of schools equally irrespective of location. The configuration of classes and the deployment of classroom teachers are done at local school level. The staffing schedule also includes provision for schools that have significant increases in their enrolment in rapidly developing areas to be allocated classroom teachers based on their projected enrolments for September 2013. The criteria for this are set out in the staffing schedule which is available on the Department website. I understand that the school referred to by the Deputy applied for a post under developing school status. The post was provisionally approved pending confirmation of the enrolment at 30 September 2013. The school subsequently decided not to proceed with the post on the basis of uncertainty of achieving the required enrolment. The Deputy will be aware that the Government has protected frontline services in schools to the greatest extent possible in the recent budget and there will no reduction in teacher numbers in primary schools and in free second level schools for the 2013/14 school year as a result of the budget. The DEIS scheme for disadvantaged schools is also fully protected with no overall changes to staffing levels or funding as a result of the budget.

International Bodies Membership

130. **Deputy Andrew Doyle** asked the Minister for Education and Skills if he will outline each international organisation, agency or body of which Ireland is a member and for which his Department or a State body or agency under the aegis of his Department is responsible or co-responsible; and if he will make a statement on the matter. [32808/13]

Minister for Education and Skills (Deputy Ruairí Quinn): It has not been possible to collate the information in the time available. I will respond directly to the Deputy when the information is available.

Public Procurement Regulations

131. **Deputy Éamon Ó Cuív** asked the Minister for Public Expenditure and Reform the number of projects that were approved funding by his Department conditional on a bond being produced from a builder; the amount of the default by builders where such bonds were in place; the amount recovered through the use of bonds in such cases; and if he will make a statement on the matter. [32724/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): In response to the Deputy's question I can confirm that there were no projects approved by my Department conditional on a bond being produced from any builder. I understand that the Office of Public Works will be contacting the Deputy directly on this matter.

Proposed Legislation

132. **Deputy Andrew Doyle** asked the Minister for Public Expenditure and Reform the current status of upcoming legislation to amend the Houses of the Oireachtas Commission (Amendment) Act to modernise the senior management structure in the Houses of the Oireachtas; if he intends to bring forward legislation before the summer recess, during which a senior official is due to retire; if the legislation will incorporate the top level appointments commission for the appointment of the Secretary General of the Houses of the Oireachtas Commission and Clerk of Dáil Éireann; the recent discussions he has had on this matter with the Ceann Comhairle of Dáil Éireann and the Cathaoirleach of Seanad Éireann; if, in the event the legislation is not introduced before the summer recess, he will detail the arrangements the Oireachtas will have to put in place in the interim, before legislation is brought forward later in 2013 to deal with the issue; and if he will make a statement on the matter. [32742/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Legislation underpinning the modernisation of the senior management structure of the Houses of the Oireachtas Service is in the course of preparation. Following consultations with the Ceann Comhairle of the Dáil and the Cathaoirleach of the Seanad, it is envisaged that the necessary legislation will be submitted to the Oireachtas for enactment after the Houses resume in the autumn. It is proposed to make an interim appointment to cover the period between the retirement of the present postholder and the making of the new appointment.

Infrastructure and Capital Investment Programme

133. **Deputy Kevin Humphreys** asked the Minister for Public Expenditure and Reform if his attention has been drawn to the value for money assessment by the National Development Finance Agency on the proposed waste to energy incinerator project in Poolbeg conducted in 2005; his views on whether it is acceptable to use data that is eight years old when the economic circumstances of the country have changed considerably in the meantime when considering whether to continue with a project; if he will indicate if his Department has a policy in place for reassessing capital investments and public private partnerships that were proposed during different economic times in view of our changed circumstances, and what that policy is; and if he will make a statement on the matter. [32779/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): My Department has the same role in relation to PPP projects as it does in relation to capital investment projects generally. It sets the overall capital investment framework and the basic principles to be observed for the appraisal, assessment, procurement and evaluation of projects. It does not have a direct role in delivering individual projects (either PPP or traditional Exchequer capital projects). This is primarily the responsibility of the Sponsoring Department/Agency. All spending Departments must comply with the new Public Spending Code which draws together all of the standard guidance for assessing, reviewing and appraising public expenditure programmes – current as well as capital – in the public service. The Code highlights the need to revise appraisals if there are time lapses, changes in circumstances or significant additional costs involved in projects. In particular, Cost Benefit Analyses (CBAs) for capital projects should be reviewed at key stages to make sure the project is still justified. The Code also states, in relation to CBAs, that a final reassessment of demand and costs should be undertaken if there is a significant time lag between the appraisal and commissioning of the project.

Additionally, a full suite of guidance material has been published to facilitate the PPP process. This guidance dovetails with the Public Spending Code but also includes specific techni-

cal tools to evaluate PPP proposals and tenders. The key aspects of the guidance relate to the assessment of projects for procurement as PPP, the compilation of the public sector benchmark and ensuring value for money through the PPP process. There are a number of specific tests throughout the procurement and tender negotiation processes to ensure that best value is derived for the State. Details of the timing and content of these value for money tests are set out in the various PPP guidance issued by my Department which are available at www.ppp.gov.ie.

In accordance with the guidance issued by my Department, the National Development Finance Agency (NDFA) has the role of providing an opinion to the Sponsoring Agency in relation to the value for money testing on a PPP project. I am informed that the NDFA issued a value for money letter on 21 June 2007 when the Poolbeg incinerator project was at contract close with conditions precedent outstanding. NDFA later wrote to Dublin City Council in March 2012 to clarify that the previously issued NDFA value for money opinion of June 2007 was no longer valid as this opinion was based on the original contractual arrangements which had since changed. The NDFA has been requested by Dublin City Council to provide an opinion on an updated value for money test and this will be undertaken once the Public Sector Benchmark and all of the supporting documentation is completed, finalised and submitted to the NDFA for consideration.

International Bodies Membership

134. **Deputy Andrew Doyle** asked the Minister for Public Expenditure and Reform if he will outline each international organisation, international agency or international body of which Ireland is a member and for which his Department or a State body or agency under the aegis of his Department is responsible or co-responsible; and if he will make a statement on the matter. [32815/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): In response to the Deputy's question the following is a list of each international organisation, international agency or international body that Ireland is a member of that my Department or agencies under my remit is responsible or co-responsible for:

Department / Office	Name
Department of Public Expenditure and Reform	European Institute of Public Administration (EIPA) based in Maastricht

Additional information received from the Department on 29/7/2013.

The Office of Public Works is responsible for the care and maintenance of National Monuments sites in State care and, in that regard, a number of international obligations arise:

UN. Ireland is responsible for the management and operation of two World Heritage Sites at Skellig Michael, Co. Kerry and Brú na Bóinne / Newgrange, Co. Meath and is therefore responsible under International Agreements to UNESCO in this regard.

ICCROM (International Centre for the Study of the Preservation and Restoration of Cultural Property). As the organisation responsible for conservation of a significant portion of the Heritage portfolio, OPW participates in this UN funded organisation.

Bullying in the Workplace

135. **Deputy Patrick O'Donovan** asked the Minister for Jobs, Enterprise and Innovation if the provisions in the Health, Safety and Work Act, and associated legislative instruments,

relating to risk analyses are robust enough to protect employees from cyber bullying; if the changes in the legislation are required to reflect developments in the area of access to social media and information technology in the workplace; and if he will make a statement on the matter. [32616/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Under the Safety, Health and Welfare at Work Act 2005 every employer has a duty, to ensure, so far as is reasonably practicable, the safety, health and welfare of their employees and to manage and conduct work activities in such a way so as to prevent, as far as is reasonably practicable, any improper conduct or behaviour likely to put the safety, health or welfare of their employees at work at risk. The provisions in this Act do not specifically identify all possible workplace hazards as to do so would be impractical. However, the Act requires employers, where they know of, or can reasonably be expected to know of, a workplace hazard that is impacting on the safety, health or welfare of an employee or group of employees, to act reasonably in terms of assessing the risk, and putting in place control measures.

Under section 19 of the Act an employer is required to carry out and maintain a written risk assessment to identify all potential hazards that may occur in a workplace under their control. Under section 20 the employer is required to ensure that all identified potential hazards and all protective and preventative measures taken are recorded in their safety statement. This statement also identifies the duties of employees in respect to the safety, health and welfare of all persons within the workplace.

Similarly, the 2005 Act also places obligations on employees in relation to their duties not to engage in improper conduct or behaviour likely to endanger their own safety, health and welfare at work or that of any other person.

Under the 2005 Act, the Health and Safety Authority (HSA) has published a Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying at Work, and this is aimed at preventing and dealing with all bullying where it happens in Irish workplaces.

The Code of Practice defines bullying as repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment, which could reasonably be regarded as undermining the individual's right to dignity at work.

The Code also reflects the legal requirement that employers carry out a risk assessment, and where bullying is identified as a hazard, they ensure that it is included in the safety statement. The Code gives guidance on how to identify and assess if bullying is a hazard at work as well as on how to prepare a Bullying Prevention Policy.

The purpose of an effective policy is not simply to prevent improper conduct and behaviour but also to encourage best practice and a safe and harmonious workplace where such behaviour is unlikely to occur. Employers should therefore adopt, implement and monitor a comprehensive, effective and accessible policy on bullying, at work. This would include cyber-bullying.

The Code of Practice also states that the scope of an employer's Bullying Prevention Policy should state that the protection of the policy should extend beyond the place of work to off-site work activities and to work-related social events.

The Safety, Health and Welfare at Work Act 2005 and Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying at Work state the clear requirements for all employers to have a stated, clear and enforceable policy and procedures which they consistently apply, regarding the access to, use of, and penalties for mis-use of, company property

including computers and the software systems used whilst employees are working or in the course of employment. All employees should be made aware of these requirements, and sign off on the duties which they must uphold.

The role of the HSA under the Code is to monitor if employers and employees are meeting their obligations and duty of care under the 2005 Act. The Code of Practice is available for free download at www.hsa.ie.

I am satisfied that the Safety, Health and Welfare at Work Act 2005 in addition to the Health and Safety Authority's Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying at Work provide a robust regime to protect employees from bullying, including cyber bullying, in the workplace. Consequently I have no plans for legislative change in this area at present.

Enterprise Ireland Funding

136. **Deputy Dominic Hannigan** asked the Minister for Jobs, Enterprise and Innovation if he will outline specific grants that are available to businesses wishing to expand; if there are particular sections within Enterprise Ireland that a business could contact; and if he will make a statement on the matter. [32629/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Enterprise Ireland offers a range of financial and non-financial supports to assist clients through all stages of the business development cycle. The nature and level of support offered to Enterprise Ireland's clients depends on the individual company's development needs and is assessed in consultation with their Enterprise Ireland development adviser. Funding decisions are broadly determined by the following criteria:

- Need for financial support for the project;
- Potential employment and sales growth;
- Previous funding provided to the company;
- Regional location of the company.

The main Enterprise Ireland grant offers that are available to client companies, that are seeking to expand, include the following:

- Going Global Grant, which is a grant for market research costs to assist companies that have successfully established businesses in Ireland who wish to explore opportunities to internationalise as a route to growth;

- Internationalisation Grant, which is a grant to support the costs of researching and exploring new international business opportunities;

- Job Expansion Fund, which provides funding towards the recruitment of new employees;

- Tailored Company Expansion Packages, which provides support for companies who are planning to undertake an ambitious expansion that will create employment and grow sales in international markets. The nature of the package will be determined through discussions with Enterprise Ireland.

Businesses can contact Enterprise Ireland through its national, regional and international of-

office network. Contact details for all Enterprise Ireland offices are set out on Enterprise Ireland's website, which can be contacted at <http://www.enterprise-ireland.com/en/>.

Intellectual Property Protocol

137. **Deputy Andrew Doyle** asked the Minister for Jobs, Enterprise and Innovation if he will outline the details of the International Treaty on Intellectual Property that was signed on 28 June 2013 in Marrakesh, Morocco, under the Irish Presidency of the Council of the EU; if the treaty requires ratification here through primary legislation; and if he will make a statement on the matter. [32658/13]

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Sherlock): The Treaty entitled the "Marrakesh Treaty to facilitate access to published works for persons who are blind, visually impaired or otherwise print disabled" was adopted on 28 June 2013 at Marrakesh. The objective of the Treaty is to improve access for the blind, visually impaired, and print disabled to published works in formats such as braille, large print text and audio books.

It provides also for the exchange of accessible format works across borders by organizations that serve people who are blind, visually impaired, and print disabled. When the Treaty comes into effect, it will harmonize limitations and exceptions that apply in the contracting states so that these organizations can operate across borders. This sharing of works in accessible formats should increase the overall number of works available to persons in need of the works in accessible formats. For instance, instead of five countries producing accessible versions of the same work, it would be possible for the five countries to instead produce an accessible version of a different work, which could then be shared with each of the other countries.

The treaty is also designed to provide assurances to authors and publishers that the system will not expose their published works to misuse or distribution to anyone other than the intended beneficiaries. It therefore reiterates the requirement that the cross-border sharing of works created, based on limitations and exceptions, must be limited to certain special cases which do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the rightholder.

The Treaty will be open for signature at the headquarters of WIPO by any eligible party for one year after its adoption. It will enter into force after it has been ratified by twenty WIPO contracting States. Ratification of the Treaty will require contracting parties to adopt national law provisions that permit the reproduction, distribution and making available of published works in accessible formats through limitations and exceptions to the rights of copyright Rightholders.

The text of the Treaty can be found at the following link: http://www.wipo.int/edocs/mdocs/diplconf/en/vip_dc/vip_dc_8.pdf

Ireland signed the Final Act of the Treaty on 28 June 2013 in Marrakesh but not the Treaty itself in line with normal protocol which requires Government approval of international Treaties to allow for signature. Thereafter, and prior to any decision to seek Government approval to ratify the Treaty, a detailed examination of the final text adopted and of the relevant Irish law, will be undertaken. It is the case that as it stands Ireland already has an exception in its national copyright law that allows for the adaptation of books into formats that are easier to use for visually impaired persons. These formats include braille and audio files adapted for the visually impaired.

Work Permit Appeals

138. **Deputy Róisín Shortall** asked the Minister for Jobs, Enterprise and Innovation further to Parliamentary Question No. 384 of 5 February 2013, if he will confirm that the details supplied were those used in drafting the reply; and if he will make a statement on the matter. [32674/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The Deputy will be aware that an application for an employment permit was refused in this instance on 4th April 2012 and that this decision was upheld on appeal on 3rd July 2012.

I can confirm to the Deputy that the place of employment in respect of the permit application was the first location named by the Deputy in her question. I can also confirm that at the time of application there were seven Irish and two non EEA nationals in employment at that business. While it appeared on the employment permit application form that there was only one Irish and two non EEA nationals in employment, the correct situation was clarified in the documentation provided in the request for a review and was considered by the appeal officer. Finally, the salary stated in the application in respect of the employment was in excess of €30,000. This information was considered at the review stage.

The occupation in question is that of machine operator and this occupation falls under the “general operative” employment category. This is an ineligible category of employment and employment permits are generally not considered in respect of employment of this nature.

If the occupation was incorrectly described and the skills required for the occupation were insufficiently set out then a new application may be submitted which will be considered afresh.

Public Procurement Regulations

139. **Deputy Éamon Ó Cuív** asked the Minister for Jobs, Enterprise and Innovation the number of projects that were approved funding by his Department conditional on a bond being produced from a builder; the amount of the default by builders where such bonds were in place; the amount recovered through the use of bonds in such cases; and if he will make a statement on the matter. [32722/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): My Department has not been involved with approving funding for any projects that were conditional on a Bond being produced by a builder. In general, the Office of Public Works is responsible for projects of this nature for Government departments.

IBRC Legal Cases

140. **Deputy Pearse Doherty** asked the Minister for Jobs, Enterprise and Innovation if he will confirm if section 286 of the Companies Act 1963 in regard to legal rules pertaining to any payments made in favour of any creditor in the six months leading up to the appointment of the special liquidator were complied with by Anglo Irish Bank. [32760/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Section 10 and the Schedule of the Irish Bank Resolution Corporation Act 2013 dis-applies section 286 of the Companies Act 1963 in relation to any act relating to property by IBRC (within the meaning of the *Irish Bank Resolution Corporation Act 2013*) in favour of the Central Bank of Ireland.

Responsibility for this legislation rests with my colleague the Minister for Finance.

In general, in every winding up to which section 286 of the Companies Act 1963 applies, the onus of proof is on the liquidator to establish if there was a dominant intention to prefer one creditor over another. Ultimately, the determination of whether there was a preferential transaction is a matter for the court to decide and I have no direct function in the matter.

International Bodies Membership

141. **Deputy Andrew Doyle** asked the Minister for Jobs, Enterprise and Innovation if he will outline each international organisation, international agency or international body of which Ireland is a member and for which his Department or a State body or agency under the aegis of his Department is responsible or co-responsible; and if he will make a statement on the matter. [32813/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): My Department is a member of the following international organisations:-

The European Molecular Biology Conference (EMBC)

COST - Co-operation in Science & Technology

World Intellectual Property Organisation (WIPO)

European Patent Organisation (EPO)

EUREKA, which is a close-to-market collaborative R&D programme, operated on a pan-European basis. It is an intergovernmental network to support market-oriented R&D and innovation projects by industry, research centres and universities across all technological sectors.

The European Molecular Biology Laboratory (EMBL)

European Space Agency

International Convention on the Control and Marking of Articles of Precious Metals (also known as the Hallmarking Convention).

The Companies Registration Office (CRO) is a member of the European Business Register and the European Commerce Registers Forum.

The Office of the Director of Corporate Enforcement (ODCE) is a member of the International Association of Insolvency Regulators (IAIR).

The International Labour Organisation (ILO)

The Council of Europe. My Department is co-responsible for the Revised European Social Charter of the Council of Europe, 1966.

European Association of Labour Court Judges

International Association of Labour Inspection

The Organisation of Economic Co-operation and Development (OECD). Ireland's membership of OECD is primarily the responsibility of Department of Finance, but my Department works together with the OECD Secretariat and Committees such as areas as trade and competition policy, employment and social affairs, regulatory reform, entrepreneurship, SMEs and

local development.

The World Trade Organisation.

In cases where an Agency under the remit of my Department is a member of an international organisation, international agency or international body, this is an operational matter for the Agency concerned, for which I have no direct function. I am referring the specific question to each of the Agencies with a request to respond to you directly.

Invalidity Pension Appeals

142. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the progress made to date in respect of an appeal for invalidity pension in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [32613/13]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 10th June 2013. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by the Deciding Officer on the grounds of appeal be sought. When these have been received from the Department, the case in question will be referred to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral appeal hearing.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions in relation to social welfare entitlements.

Domiciliary Care Allowance Appeals

143. **Deputy Denis Naughten** asked the Minister for Social Protection when a decision will be made to backdate domiciliary care allowance in respect of a person (details supplied) in County Roscommon; the reason for the delay in same; and if she will make a statement on the matter. [32614/13]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that an Appeals Officer, having fully considered all of the available evidence, has decided to allow the appeal of the person concerned by way of a summary decision. The person concerned was notified of the Appeals Officer's decision on 26th June 2013.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions in relation to social welfare entitlements.

Departmental Offices

144. **Deputy Joanna Tuffy** asked the Minister for Social Protection if there are plans to provide a facility for members of the public when waiting at the Clondalkin social welfare office, Dublin (details supplied); and if she will make a statement on the matter. [32632/13]

Minister for Social Protection (Deputy Joan Burton): There are currently no toilet facilities

ties for staff or for members of the public on the ground floor in the Clondalkin Local Office. While many Local Offices do not have a public toilet, it is now included in the Office of Public Works (OPW) specification for all new offices. This issue will therefore be addressed in the plans for the new Intreo office for Clondalkin.

Social Welfare Appeals Status

145. **Deputy Denis Naughten** asked the Minister for Social Protection when a person seeks a review of their entitlement to a social welfare payment on medical grounds if the review is examined by a medical assessor in the medical assessment unit or alternatively within the review section of the relevant department; the circumstances in which a review may be conducted without the input of a medical assessor; the step by step process a review on medical grounds goes through before a decision is made; and if she will make a statement on the matter. [32668/13]

Minister for Social Protection (Deputy Joan Burton): Applications for schemes such as disability allowance, invalidity pension and carers allowance are normally medically assessed at desk by one of the Department's Medical Assessors who assesses the available medical evidence with reference to evidence based protocols and guidelines. The Medical Assessor then presents his/her medical opinion to a Deciding Officer, who makes a decision on the basis of the overall scheme rules, taking account of the opinion of the Medical Assessor. Customers are informed in writing of all decisions and also informed of their options as a result. Customers are entitled to request a medical review if they submit additional medical evidence in support of their claim. All additional medical evidence received is presented for review to a Medical Assessor following receipt in the Department. Where appropriate and taking all available evidence into account, a Deciding Officer may revise a decision to disallow a claimant or alternative the new medical evidence is referred to a MA who assesses the case in line with evidence based protocols and guidelines, and presents a medical opinion to a Deciding Officer in the scheme area. The Deciding Officer reviews the overall decision based on the medical and non-medical criteria and informs the customer of the decision in writing.

The current medical staffing within my Department comprises the Chief Medical Advisor, Deputy Chief Medical Advisor and 19 Medical Assessors.

Carer's Benefit Expenditure

146. **Deputy Seán Ó Fearghail** asked the Minister for Social Protection if she will outline any supports or measures which have been improved for carers in the home over the past year; if she will confirm that current supports will be retained; and if she will make a statement on the matter. [32694/13]

Minister for Social Protection (Deputy Joan Burton): The contribution that people provide in caring for members of their own family is critical for society. It was for that reason that the Government last year adopted the National Carers' Strategy with a view to giving greater public recognition to carers and their work.

Carers receive significant income supports from the Department of Social Protection so that people can continue living at home as far as possible. Expenditure on carers has increased significantly in recent years. In 2013 it is estimated to be €776 million compared with an estimated outturn of €771 million in 2012. The expenditure on carers in 2012 included: €509 million on carer's allowance; €24 million on carer's benefit; €135 million on the respite care grant and; €103 million on domiciliary care allowance.

Carers also receive a free travel pass at an annual cost of €6 million and carers who reside with the care recipient are eligible for the household benefits package at an annual cost of approximately €30 million.

I should stress that the supports available to carers in Ireland are among the highest rates of income support in Europe. A person getting certain qualifying payments and also providing full-time care and attention to another person can keep their main social welfare payment and receive a half-rate carer's allowance as well.

The respite care grant is available to all full-time carers regardless of their means while the income disregard and means test for carers allowance is the most generous in the social welfare system. A couple under 66 with two children, earning a joint annual income of up to €35,400 can qualify for the maximum rate of carer's allowance while a couple earning €59,300 will still qualify for the minimum rate. Carers are entitled to an extra half-rate carer's allowance if they care for more than one person and a respite care grant for each care recipient.

I have no plans to make any changes to the above at this time.

Money Advice and Budgeting Service Staff

147. **Deputy Seamus Kirk** asked the Minister for Social Protection if she is aware of any cuts to staffing or to the allocation to the Money Advice and Budgeting Service office in Clondalkin, Dublin; and if she will make a statement on the matter. [32699/13]

Minister for Social Protection (Deputy Joan Burton): The Money Advice and Budgeting Service (MABS), under the aegis of the Citizens Information Board, assists people who are over-indebted and need help and advice in coping with debt problems, in particular those on low incomes and people living on social welfare payments.

In 2013, the Citizens Information Board has been allocated a budget of approximately €47.5 million of which some €19 million has been assigned to MABS. In 2012 the corresponding allocation was €46.8 million and €18.3 million respectively.

Clondalkin MABS covers all of the Clondalkin area and in addition has outreach offices at Lucan and Neilstown. The offices of Clondalkin MABS (Unit 5, The Village Centre, Clondalkin, Dublin 22) are open 5 days a week from 9 to 4.. The outreach services both operate two days a week. There are currently no plans to decrease staffing levels or the grant allocation to Clondalkin MABS.

The Money Advice & Budgeting Service also operates a national helpline, telephone 0761 07 2000, which provides a comprehensive and confidential information service on all aspects of money management and personal debt to people throughout the country, Monday to Friday from 9am to 8pm. The MABS website, www.mabs.ie provides information and advice on all aspects of money management and dealing with debt.

Money Advice and Budgeting Service Staff

148. **Deputy Seamus Kirk** asked the Minister for Social Protection if she is aware of any cuts to staffing or to the allocation to the Money Advice and Budgeting Service office in Tal-laght, Dublin; and if she will make a statement on the matter. [32700/13]

Minister for Social Protection (Deputy Joan Burton): The Money Advice and Budget-

ing Service (MABS), under the aegis of the Citizens Information Board, assists people who are over-indebted and need help and advice in coping with debt problems, in particular those on low incomes and people living on social welfare payments.

In 2013, the Citizens Information Board has been allocated a budget of approximately €47.5 million of which some €19 million has been assigned to MABS. In 2012 the corresponding allocation was €46.8 million and €18.3 million respectively.

Tallaght MABS is one of the longest established of the 51 local MABS in Ireland, operating since 1995. It covers all of Tallaght and parts of Saggart and Blessington. The offices at High Street in Tallaght are open five days a week from 9am to 4pm. There are currently no plans to decrease staffing levels or the grant allocation to Tallaght MABS.

The Money, Advice and Budgeting Service also operates a national helpline, telephone 0761 07 2000, which provides a comprehensive and confidential information service on all aspects of money management and personal debt to people throughout the country, Monday to Friday from 9am to 8pm. The MABS website, www.mabs.ie provides information and advice on all aspects of money management and dealing with debt.

Domiciliary Care Allowance Applications

149. **Deputy Finian McGrath** asked the Minister for Social Protection if she will support a matter regarding a domiciliary care allowance in respect of a person (details supplied) in Dublin 13. [32777/13]

Minister for Social Protection (Deputy Joan Burton): An application for domiciliary care allowance (DCA) was received from the person concerned on the 27th May 2013. This application has been forwarded to one of the Department's Medical Assessors for their medical opinion. Upon receipt of this opinion, a decision will issue to the person concerned. It can take up to 8 weeks to process an application for DCA, which is a non means tested payment.

Free Travel Scheme Applications

150. **Deputy Jack Wall** asked the Minister for Social Protection further to Parliamentary Question No. 116 of 12 June 2013, when a person (details supplied) in County Kildare was medically assessed and if the person's application for a companion bus pass will be re-examined; and if she will make a statement on the matter. [32792/13]

Minister for Social Protection (Deputy Joan Burton): The person named above submitted an application for a Companion Free Travel Pass and her application was desk assessed by a Medical Assessor on 13 May 2013. A medical report was completed by the person's medical practitioner and this was scanned by the Department. A Medical Assessor viewed the medical report in line with evidence based protocols and Departmental guidelines in order to determine medical eligibility for the scheme. Following the desk assessed medical assessment, the medical opinion was conveyed to Household Benefits Section and a decision letter issued to the applicant on 14th May 2013.

International Bodies Membership

151. **Deputy Andrew Doyle** asked the Minister for Social Protection if she will outline each

international organisation, international agency or international body that Ireland is a member of that her Department or a State body or agency under the aegis of her Department is responsible for or co-responsible for; and if she will make a statement on the matter. [32816/13]

Minister for Social Protection (Deputy Joan Burton): Neither my Department, nor any State body or agency under its aegis, is responsible for, or co-responsible for, any international organisation, international agency or international body that Ireland is a member of.

Jobseeker's Allowance Eligibility

152. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if jobseeker's allowance will be made payable in the case of a person (details supplied) in County Kildare whose mother is an Irish citizen; and if she will make a statement on the matter. [32821/13]

Minister for Social Protection (Deputy Joan Burton): The person concerned is currently in receipt of a jobseeker's allowance payment.

Question No. 153 withdrawn.

Rent Supplement Scheme Applications

154. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when rent support will be offered in the case of a person (details supplied) in Dublin 2; and if she will make a statement on the matter. [32825/13]

Minister for Social Protection (Deputy Joan Burton): According to our records, no claim for rent allowance has been received from the person concerned. She should contact her local Community Welfare Officer if she wishes to make such a claim.

Rent Supplement Scheme Applications

155. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when rent support will be offered to a person (details supplied) in County Kildare; and if she will make a statement on the matter. [32826/13]

Minister for Social Protection (Deputy Joan Burton): The person concerned made an application for rent supplement on the 30th April 2013. The client has been requested to provide further information in order to process her claim in full. A decision will be made on her application when the information has been provided.

Child Benefit Eligibility

156. **Deputy Bernard J. Durkan** asked the Minister for Social Protection notwithstanding her reply to previous parliamentary questions, the reason a person (details supplied) in County Kildare cannot receive child benefit in respect of their grandchildren in whose care they are while their mother is in the UK; and if she will make a statement on the matter. [32827/13]

Minister for Social Protection (Deputy Joan Burton): As indicated in reply to PQ Ref No: 26529-13, the person concerned did not qualify for child benefit as she is not the qualified

person for receipt of the payment under Social Welfare legislation.

Section 159 (1) of S.I. 142/2007 provides that the person with whom a qualified child shall be regarded as normally residing shall be determined in accordance with the following Rules.

1. Subject to Rule 2, a qualified child, who is resident with more than one of the following persons, his or her – Mother, Stepmother, Father, Step-father, shall be regarded as normally residing with the person first so mentioned and with no other person.

Section 159 (4) of S.I. 142/2007 provides that a qualified child, who is resident elsewhere than with a parent or a step-parent and whose mother is alive, shall, where his or her mother is entitled to his or her custody whether solely or jointly with any other person, be regarded as normally residing with his or her mother and with no other person.

While the mother retains custody of the children, it is not possible under Social Welfare legislation to award child benefit to any other person.

Public Procurement Regulations

157. **Deputy Éamon Ó Cuív** asked the Minister for Arts, Heritage and the Gaeltacht the number of projects that were approved for funding by his Department conditional on a bond being produced from a builder; the amount of the default by builders where such bonds were in place; the amount recovered through the use of bonds in such cases; and if he will make a statement on the matter. [32713/13]

160. **Deputy Éamon Ó Cuív** asked the Minister for Arts, Heritage and the Gaeltacht the reason his Department insisted as a condition of grant aid that a bond be taken out against default by the builder on this contract; the reason that his Department now claims that this bond, which is being used to recover money lost when the original builder went into liquidation, cannot be considered by it in assessing the funding available to the project; and if he will make a statement on the matter. [32731/13]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): I propose to take Questions Nos. 157 and 160 together.

Two projects were approved funding by the Department conditional on a bond being produced from a builder. Details of these projects are included in the table below:

The number of projects that were approved funding by the Department conditional on a bond being produced from a builder	The amount of the default by builders where such bonds were in place	The amount recovered through the use of bonds in such cases
1. Contract associated with Phase I of Killarney House Restoration Project	N/A	N/A
2. Contract associated with Phase II of Killarney House Restoration Project	N/A	N/A

In relation the specific project referred to by the Deputy, that project was initiated, developed and managed by the project promoter. The Department made a contribution to the overall project. I have been informed by the project promoter that the recovery of the bond is the sub-

ject of proceedings in the High Court between third parties. It would not be appropriate for me to comment further on the matter.

Departmental Funding

158. **Deputy Éamon Ó Cuív** asked the Minister for Arts, Heritage and the Gaeltacht when the next payment will be made by his Department to the Solas project; and if he will make a statement on the matter. [32729/13]

159. **Deputy Éamon Ó Cuív** asked the Minister for Arts, Heritage and the Gaeltacht when approval will be given to the Solas project to sign a contract for phase two of the Galway Art House Cinema project; and if he will make a statement on the matter. [32730/13]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): I propose to take Questions Nos. 158 and 159 together.

My Department recently received a request for a further instalment of the capital grant for the Solas project. That application is currently being examined, and a payment will issue once all of the usual conditions for a grant payment have been satisfied.

The decision as to when approval will be given for permission to sign a contract for phase two of the Solas project will depend on a number of factors, including progress on phase one of the contract, and also progress on obtaining the required matching funding by the project promoters.

Question No. 160 answered with Question No. 157.

Natura 2000 Issues

161. **Deputy Éamon Ó Cuív** asked the Minister for Arts, Heritage and the Gaeltacht the circumstances where a person whose land is designated, under Natura 2000 or under national heritage site designations, is entitled to compensation; and if he will make a statement on the matter. [32732/13]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): Compensation, or financial incentives, may be payable in respect of land within Natura 2000 sites in a number of ways.

Significant amounts of EU and Exchequer funding is provided through the rural development programme, operated by the Department of Agriculture, Food and the Marine, which provides for a range of supports for farmers, including specific payments in respect of areas selected for designation under the Birds and Habitats Directives.

My Department administers a small-scale farm plan scheme, which supports farmers in adopting appropriate management practices in the Natura 2000 network. These include supports for sheep destocking on western hills, for managing land for corncrakes and hen harriers, and, separately, as part-contribution to schemes such as the Burren Farming for Conservation Programme. It should be noted that the main farm plan scheme operated by my Department is currently closed to new applicants.

My Department has also put in place a comprehensive compensation scheme for those af-

ected by the cessation of turf cutting on raised bog habitat selected as special areas of conservation under the EU Habitats Directive.

Finally, it should be noted that regulation 41 of the European Communities (Birds and Natural Habitats) Regulations 2011 sets out provisions in relation to the payment of compensation, in certain circumstances where I, as Minister, refuse consent to carry out certain activities within a Natura 2000 site. Section 22 of the Wildlife (Amendment) Act 2000 sets out similar provisions which apply to Natural Heritage Areas.

International Bodies Membership

162. **Deputy Andrew Doyle** asked the Minister for Arts, Heritage and the Gaeltacht if he will outline each international organisation, international agency or international body of which Ireland is a member and for which his Department or a State body or agency under the aegis of his Department is responsible or co-responsible; and if he will make a statement on the matter. [32804/13]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): My Department participates in a number of committees and working groups arising from Ireland's membership of treaty based international organisations such as the European Union, the United Nations and the Council of Europe.

In addition, Ireland is a member of the International Whaling Commission which is the global intergovernmental body charged with the conservation of whales and the management of whaling. My Department represents Ireland on the Commission.

My Department also participates in the work of a number of non-governmental groups that have membership outside Ireland which support scientific research and groups which develop and support the performing arts and other areas of work.

Broadband Services Provision

163. **Deputy Bernard J. Durkan** asked the Minister for Communications, Energy and Natural Resources the current proposals to extend modern high-speed broadband facilities including fibre optics to the area of Rathcoffey, Donadea and Naas, County Kildare, with particular reference to the requirement of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [32661/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): Considerable progress has been made in recent years in both the coverage and speeds of national broadband infrastructure, with a multiplicity of commercial operators, providing services over a diverse range of technology platforms.

The Government has also undertaken a number of initiatives to bring broadband to those parts of the country where commercial operators have been unable to offer services. The combination of private investment and State interventions such as the National Broadband Scheme means that Ireland has met the EU Commission's Digital Agenda for Europe target of having a basic broadband service available to all areas by 2013.

The Government, through the National Broadband Plan, which I published on 30th August last year, has recognised that the key imperative now is to ensure high speed broadband availability to all. The Plan commits to high speed broadband availability across the country by

ensuring that high speed services of 30Mbps are available to all of our citizens and businesses, and in advance of the EU's target date of 2020, and that significantly higher speeds are available to as many homes and businesses as possible.

We are now therefore moving to a new phase of public and private sector investment in broadband in Ireland which will see significantly improved speeds delivered across the country.

Since the publication of the Plan, investments by the commercial sector are underway in both fixed line and wireless high speed broadband services.

In tandem with these commercial developments, intensive work is underway in my Department to progress a State-led investment to secure the introduction of next generation broadband access.

In order to progress the State-led investment, a full procurement process must be designed and EU State Aids approval must be obtained. My Department has launched a formal mapping exercise to identify the areas of the country to be targeted in the State-led investment under the Government's National Broadband Plan to ensure the provision of high speed broadband services where the commercial market will not deliver. This exercise will inform an EU State Aids application in respect of the State-led intervention and is a necessary prerequisite for State Aids approval.

Intensive technical, financial and legal preparations including stakeholder engagement will be ongoing throughout 2013 with a view to the launch of a procurement process in 2014.

Through the implementation of the National Broadband Plan, we are committed to increasing the availability of next generation speeds significantly, with a view to ensuring that all citizens and businesses can participate fully in a digitally enabled society.

Public Procurement Regulations

164. **Deputy Éamon Ó Cuív** asked the Minister for Communications, Energy and Natural Resources the number of projects that were approved for funding by his Department conditional on a bond being produced from a builder; the amount of the default by builders where such bonds were in place; the amount recovered through the use of bonds in such cases; and if he will make a statement on the matter. [32715/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I wish to advise the Deputy that my Department has not commissioned work by a builder or approved funding for such a project where a builder was required to produce a bond.

Broadband Services Provision

165. **Deputy Joe McHugh** asked the Minister for Communications, Energy and Natural Resources with reference to the announcement on 1 July 2013 of a plan to map broadband services across the country with a view to establishing comprehensive connectivity by 2015, if he will describe the methodology that will underpin this mapping exercise; and if he will make a statement on the matter. [32787/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The Government's National Broadband Plan, which I published in August last, aims to radically change the broadband landscape in Ireland by ensuring that high speed services of 30Mbps are

available to all of our citizens and businesses, and in advance of the EU's target date of 2020, and that significantly higher speeds are available to as many homes and businesses as possible.

The Plan aims to deliver high speed broadband to all parts of Ireland through two principal means:

- (a) by providing a policy and regulatory framework that assists in accelerating and incentivising commercial investment, and
- (b) by providing a State-led investment for areas where it is not commercial for the market to invest.

The National Broadband Plan envisages that industry will be the key driver of investment with State intervention only where there is market failure.

Since the publication of the Plan, investments by the commercial sector are underway in both fixed line and wireless high speed broadband services. There is evidence that industry is investing beyond the targets to which they committed in the Plan with investments of up to €1bn underway

In order to progress the State-led investment, a full procurement process must be designed and EU State Aids approval must be obtained.

My Department has launched a formal mapping exercise to identify the areas of the country to be targeted in the State-led investment under the Government's National Broadband Plan to ensure the provision of high speed broadband services where the commercial market will not deliver. My Department has written to over 200 operators authorised by ComReg to provide broadband services to inform them of the exercise. Representative bodies (TIF, ALTO, etc.) have been informed and a notice was placed in national newspapers. Full details of the process and timelines associated with the plan to map broadband services across the country are published on my Departments website at www.dcenr.ie/nbpmapping.

These maps will be published for public consultation in line with the EU State Aid Guidelines for rapid broadband deployment. The maps will be developed using data aggregated from all participating operators.

The results of this mapping exercise will inform the level of Government interaction that may be required and the areas that need to be targeted in the State-led investment so as to deliver on the targets for high speed broadband contained in the National Broadband Plan. This exercise will inform an EU State Aids application in respect of the State-led intervention and is a necessary prerequisite for State Aids approval.

Intensive technical, financial and legal preparations including stakeholder engagement will be ongoing throughout 2013 with a view to the launch of a procurement process in 2014.

Through the implementation of the National Broadband Plan, we are committed to increasing the availability of next generation speeds significantly, with a view to ensuring that all citizens and businesses can participate fully in a digitally enabled society.

International Bodies Membership

166. **Deputy Andrew Doyle** asked the Minister for Communications, Energy and Natural Resources if he will outline each international organisation, international agency or international body of which Ireland and for which his Department or a State body or agency under the aegis of his Department is responsible or co-responsible; and if he will make a statement on the

matter. [32806/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):
I wish to advise the Deputy that my Department is a member of a number of international organisations which are linked to the sectors in which my Department operates, oversees and, in some instances regulates. A list of these organisations is set out in tabular format.

List of Organisations which the Department of Communications, Energy and Natural Resources is a member of

European Network and Information Security Agency (ENISA)

International Telecommunications Union (ITU)

International Telecommunications Satellite Organisation (ITSO)

European Telecommunications Satellite Organisation (EUTELSAT)

Conference of European Postal and Telecommunications Administrations

Universal Postal Union (UPU)

International Lead and Zinc Study Group (ILZSG)

International Energy Agency (IEA)

International Energy Forum

Energy Charter Secretariat

Commission for the Geological Map of the World (CGMW)

EuroGeosurveys

ProGEO – The European Association for the Conservation of the Geological Heritage

Integrated Ocean Drilling – Programme (IODP) – European Consortium for Ocean Research Drilling (ECORD)

International Union of Geological Sciences (IUGS)

Geological Curators Group

Institute of International and European Affairs

The information sought regarding the agencies under the aegis of my Department is an operational matter for each Agency. I have notified the agencies under the aegis of the Department, of the question, and have requested them to respond directly to the Deputy with their replies.

Leader Programmes Administration

167. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government his views on correspondence (details supplied) regarding the alignment between the Leader programme and local authorities; and if he will make a statement on the matter. [32654/13]

Minister for the Environment, Community and Local Government (Deputy Phil Ho-

gan): The new local development governance arrangements contained in Putting People First – Action Programme for Effective local Government reflect a balanced consideration by an expert Steering Group established to consider options for a more integrated and coherent approach to local and community development programming, both at local and national levels. Contrary to the view put forward in the correspondence referred to in the question, the new arrangements will not have a detrimental effect on local development services. Rather the establishment of Socio-Economic Committees in each local authority area will facilitate a more strategic, joined-up approach to local and community development locally. Socio-Economic Committees will bring key local and community development actors together in partnership, with a focus on outcomes rather than organisational boundaries, thus enabling collaborative leadership at local level and, ultimately, improving services for citizens and communities.

The implementation of the alignment recommendations is being brought forward in a spirit of partnership and co-operation. An Alignment Working Group is advising and assisting my Department on the practical arrangements necessary to give effect to the new Socio-Economic Committees. It comprises representatives from both the local government and local development sectors and is making good progress.

Putting People First envisages an enhanced role for local government in local and community development. There is, however, no intention to undermine the expertise and staffing of local development companies. The aim is to facilitate a joint consideration locally as to how available resources might be deployed through more collaborative and co-ordinated approaches, supported by a reformed and enhanced local government sector. As key partners on the Socio-Economic Committees, local development companies will continue to have an important role in the delivery of programmes for which they are contracted by my Department and others. Independent of alignment reforms, however, the level of funding for local development programmes is a key issue for implementing bodies, and this remains to be decided as part of the Government's estimates process and in the context of EU budgets.

Our local development system delivers a broad range of local services for citizens and communities. Within the context of increasing pressure on available resources, we need to focus on maintaining these services at the frontline while ensuring that the system continues to be sustainable. The 2010 European Court of Auditors Report on LEADER, while acknowledging good practices in Ireland's management of the 2000–06 LEADER programme for example, highlighted the significant additional administration funding provided by the Irish Exchequer to LEADER companies mid-programme to ensure continued delivery of the programme. This was accompanied by a significant amount of 'interim funding' that was also provided by the Irish Exchequer to ensure the continued operation of LEADER companies in the period between the last two programming rounds.

We are operating in a much changed economic context. The level of LEADER administration funding available under the next Rural Development Programme may be much reduced; and we can no longer afford the additional administration resources that may have been provided previously. More effective, efficient and joined-up approaches to service delivery are needed if we are to ensure the sustainability of our local development system. I am confident that the reforms we are bringing forward can do this and that, as a result, we will be able to continue deliver high quality services for our citizens and communities into the future.

Hedge and Tree Height Restrictions

168. **Deputy Dominic Hannigan** asked the Minister for the Environment, Community and Local Government if there are plans to introduce height restrictions on hedges and trees in pri-

vate dwellings; and if he will make a statement on the matter. [32609/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): There is no legislation in Ireland regulating the height of trees and hedges. My Department understands that there is no right in Irish law to receive light in a garden and that, while there is a civil remedy of nuisance available in respect of the branches or roots of a neighbour’s tree encroaching on one’s property, there is no civil law remedy in respect of the loss of light in a garden due to a neighbour’s high trees or hedges. While I have no plans to introduce legislation on this matter I wrote to my colleague the Minister for Justice and Law Reform suggesting that we might give consideration to potential alternative options towards the introduction of a civil remedy in this matter. I am currently considering his reply.

Noise Pollution Legislation

169. **Deputy Dominic Hannigan** asked the Minister for the Environment, Community and Local Government if there are any plans to update noise regulations; and if he will make a statement on the matter. [32610/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Programme for Government includes a commitment to take further steps to address noise pollution, *inter alia*, through the introduction of fixed payment notices (also known as on-the-spot fines) and provision for mediation procedures between neighbours. The development of new noise legislation by my Department will be considered in the context of this commitment: however, as indicated in the Government Legislation Programme published on 16 April 2013, it is not possible at this time to indicate when the legislation will be published, having regard to other priorities in the area concerned and the broader range of legislative priorities to be progressed across my Department’s remit.

Currently, a person experiencing noise nuisance may contact their local authority, which may initiate proceedings on grounds of noise nuisance under the Environmental Protection Agency Act 1992. This Act also provides for any person, or group of persons, to seek an order in the District Court to have noise giving reasonable cause for annoyance abated. The procedures involved have been simplified to allow action to be taken without legal representation. A public information leaflet, A Guide to the Noise Regulations, outlining the legal avenues available to persons experiencing noise nuisance, is available on my Department’s website www.environ.ie.

Official Engagements

170. **Deputy Kevin Humphreys** asked the Minister for the Environment, Community and Local Government if he will provide a copy of the attendance record book for his Department at the Custom House on 29 September 2008 and 30 September 2008; and if he will make a statement on the matter. [32638/13]

171. **Deputy Kevin Humphreys** asked the Minister for the Environment, Community and Local Government if he will provide a copy of the attendance record book for his Department at the Custom House for the month of September 2008; and if he will make a statement on the matter. [32639/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 170 and 171 together.

For security, and health and safety reasons, a log of visitors to the Custom House is kept at the main Reception Area where visitors are required to sign in. This log is maintained on a day-to-day basis so that visitors to the building may be safely evacuated in the event of an emergency.

However, my Department's policy is not to retain these records long term and thus it does not have visitor attendance records from September 2008 on file.

Septic Tank Registration Scheme

172. **Deputy Billy Timmins** asked the Minister for the Environment; Community and Local Government the grants available for the upgrade of septic tanks; the cut off registration date; and if the property has been sold in the interim, whether the new owner will be able to avail of the grant. [32645/13]

176. **Deputy Andrew Doyle** asked the Minister for the Environment; Community and Local Government further to Parliamentary Question No. 458 of 23 April 2013, if he will provide information regarding the code of practice being drawn up for septic tank inspectors; the dealings his Department has had with the Environmental Protection Agency on this matter; when he expects inspectors to be appointed and be in a position to start conducting inspections in particular local authorities (detail supplied); and if he will make a statement on the matter. [32745/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 172 and 176 together.

I refer to the reply to Questions 175 and 176 of 3 July 2013 which sets out the position in relation to the grants scheme for remediation of domestic waste water treatment systems. Full details, including eligibility criteria, are set down in the Domestic Wastewater Treatment Systems (Financial Assistance) Regulations 2013 which is available in the Oireachtas library.

The Environmental Protection Agency is responsible for the appointment and supervision of inspectors. I understand that the Agency has recently invited the water services authorities to nominate suitably qualified and trained staff for appointment as inspectors and once appointments are confirmed, inspections will then commence. Neither I nor my Department have any role in the inspections process.

Road Safety Issues

173. **Deputy Andrew Doyle** asked the Minister for the Environment, Community and Local Government if it has been brought to his attention that for families with six or more children, to be compliant with new road safety measures regarding seat belts, that families need to upgrade their vehicles from seven seater vehicles to either eight or nine seat vehicles; if his attention has been drawn to the fact that as a result of this change that motor taxation may increase by 300%-400% when they purchase adequately sized older vehicles leaving families a huge bill for the motor tax on older vehicles in order to be legally compliant; if he is intending to take measures to alleviate this situation for families struggling to pay the huge increase in motor taxation as a result of this road safety measure; and if he will make a statement on the matter. [32669/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Motor tax for private cars is calculated on the basis of CO2 emissions or engine capacity, depending on the date of first registration of the car. I have no plans at this stage to introduce an

additional element , based on the seating capacity of a vehicle.

Public Procurement Regulations

174. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government the number of projects that were approved funding by his Department conditional on a bond being produced from a builder; the amount of the default by builders where such bonds were in place; the amount recovered through the use of bonds in such cases; and if he will make a statement on the matter. [32718/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Capital Works Management Framework requires that bonds are in place for all public works contracts in excess of €500,000. My Department requires Contracting Authorities to comply with this requirement. However, detailed information relating to the bond in place for individual contracts is not available in my Department as this is a matter between the parties to the contract and not one in which my Department has any direct role.

Planning Issues

175. **Deputy Andrew Doyle** asked the Minister for the Environment, Community and Local Government if he or officials in his Department are planning any legislative amendments to deal with a recent High Court decision on the demolition of unauthorised developments; the communications his Department have had with local authorities in this regard; if in view of encouraging local authorities to appeal such decisions to higher courts, he or his officials have considered the costs of further legal action this would have on the exchequer; if given any such advice, his Department is giving any financial assistance to local authorities in dealing with this matter; when he intends to bring legislative amendments forward rather than dealing with lengthy expensive periods in the courts; and if he will make a statement on the matter. [32744/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): My Department wrote to planning authorities last month to bring to their attention and outline the potential implications of the judgment of the High Court in *Wicklow County Council v. Fortune* (judgment delivered on 6 June 2013). The case related to an application under Section 160 of the Planning and Development Act 2000 (as amended) requiring the demolition of an unauthorised dwelling in County Wicklow.

My Department's circular letter outlined that the implication of this judgment is that where planning authorities are considering similar actions, in putting forward planning and environmental considerations to support the granting of such a relief (i.e. demolition) and to generally support and uphold the integrity of the planning system, they will be required take account of the weight attached by the Court in this case to the protections offered under the Constitution to the dwelling.

The circular letter also stated that future similar cases brought directly to the High Court could, if necessary, be appealed to the Supreme Court to allow for further exploration of the proportionality principle in relation to criminal offences committed under the Planning Acts.

In the meantime, my Department has requested that planning authorities continue to vigorously apply all the provisions available under Part 8 of the Planning and Development Act to provide for the fullest implementation of the planning enforcement code.

In addition I am considering legislative amendments to support enhanced implementation of the planning enforcement code through the next Planning Bill.

Question No. 176 answered with Question No. 172.

Infrastructure and Capital Investment Programme

177. **Deputy Kevin Humphreys** asked the Minister for the Environment, Community and Local Government if his officials have sought the use of funding from the National Pensions Reserve Fund, Strategic Investment Fund or other National Treasury Management Agency body to support the construction of the waste incinerator in Poolbeg, Dublin 4; and if he will make a statement on the matter. [32780/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Poolbeg Project is a Public Private Partnership between Dublin City Council, acting on behalf of the four Dublin local authorities in the context of their statutory regional waste management plan, and its private partner, Dublin Waste to Energy Ltd. The State is not a party to the contract. Accordingly, my Department has not sought funding from the National Pension Reserve Fund, the Strategic Investment Fund or any National Treasury Management Agency body to support the construction of the waste incinerator in Poolbeg.

Infrastructure and Capital Investment Programme

178. **Deputy Kevin Humphreys** asked the Minister for the Environment, Community and Local Government if he will request the National Development Finance Agency to conduct a new value for money assessment of the proposed waste to energy incinerator project in Poolbeg, Dublin, in view of the fact that it is eight years since the original was conducted in 2005; if it is acceptable to use data that is eight years old when the economic circumstances of the country have changed considerably in the meantime; and if he will make a statement on the matter. [32781/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Poolbeg Project is a Public Private Partnership between Dublin City Council, acting on behalf of the four Dublin local authorities in the context of their statutory regional waste management plan, and its private partner, Dublin Waste to Energy Ltd. In accordance with the provisions of the Waste Management Act 1996, the preparation and adoption of a waste management plan, including in respect of infrastructure provision, is the statutory responsibility of the local authority or authorities concerned, and under section 60(3) of the Act I am precluded from exercising any power or control in relation to the performance by a local authority, in particular circumstances, of a statutory function vested in it.

The assessment of Public Private Partnership projects by the National Development Finance Agency, including the data used for such assessments, is a matter for that agency.

Alternative Energy Projects

179. **Deputy Simon Harris** asked the Minister for the Environment, Community and Local Government if he will provide an update on the current status of the foreshore lease granted in respect of the 220 turbine wind farm at Codling Bank off the coast of County Wicklow; when same was granted; the process undertaken when granting such a foreshore lease; if his Depart-

ment expects construction works to begin in the near future; and if he will make a statement on the matter. [32784/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): A foreshore lease for the development of a wind farm on the Codling Bank, off the Wicklow coast, was awarded by then the Minister for Communications, Marine and Natural Resources on 15 November 2005. The lease application together with the Environmental Impact Statement (EIS) was subjected to a comprehensive assessment by a range of technical experts who advised the Minister. This assessment took place following consultation with the public, relevant local authorities and State agencies.

The lease holder has recently applied to my Department for an extension to the construction timetable and this is under consideration. In addition, following a pre-application consultation with my Department, the company is preparing a foreshore licence application for certain site investigation works in and around the leasehold area.

Foreshore Licences Appeals

180. **Deputy Simon Harris** asked the Minister for the Environment, Community and Local Government the controls his Department can exert to review or rescind a previously granted foreshore lease; the situations in which such a review may occur; and if he will make a statement on the matter. [32785/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): In accordance with section 2 of the Foreshore Act 1933, foreshore lease agreements provide for termination of the lease upon the occurrence of a range of termination events, which relate to the breach or non-observance by the lessee of the lease conditions.

Household Charge Exemptions

181. **Deputy Paschal Donohoe** asked the Minister for the Environment, Community and Local Government if a person who was informed by a local authority staff member that they were not liable to the household charge when in fact they were before 31 March 2012, if such person will have the late-payment penalties waived; and if he will make a statement on the matter. [32789/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Local Government (Household Charge) Act 2011 provides the legislative basis for the Household Charge. Under the Act, an owner of a residential property on the liability date is liable to pay the Household Charge, unless otherwise exempted or entitled to claim a waiver. The Charges operate on a self-assessment basis; it is a matter for an owner of a residential property to determine liability and pay the Charge.

Local authorities, assisted by the Local Government Management Agency on a shared services/agency basis, are administering the Household Charge system. Household Charge operational matters are a matter for the relevant local authority or for the Agency. If it is the case that incorrect advice was provided to a liable owner by an employee of a local authority, then that owner should engage with the local authority to resolve the matter.

Local Authority Staff Issues

182. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government if his attention has been drawn to the fact that in accordance with the provision of section 147 of the Local Government Act 2001, the tenure of the current Sligo county manager will expire on 3 November 2013; if he will confirm that in the first instance this is a matter for the county manager's employer; when the recruitment process will commence for the filling of the post; in the interests of openness and transparency, the amount of the gross lump sum, the gross severance gratuity and annual pension that will be paid to the county manager when they retire; and if he will make a statement on the matter. [32793/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The selection and appointment of a County or City Manager is governed by primary legislation, including the Local Government Act 2001. Managers are selected following open competition conducted by the Public Appointments Service. I understand that the Sligo County Manager post will become vacant later this year and the Public Appointments Service has initiated the recruitment process to replace the outgoing County Manager.

In relation to the superannuation of the outgoing Sligo County Manager, I refer the Deputy to the reply to Question No. 424 of 25 June, 2013.

Local Authority Staff Issues

183. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government if he will provide in a tabular form, a list of the city and county managers who have retired since 1 January 2010; the local authority they retired from; their age on retirement; the number of added years they received on retirement; and the amount of the special severance gratuity payment received on retirement, lump sum received and annual pension payment. [32794/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The information requested is set out in the table below.

Local Authority Manager for	Retirement Date	Age on Retirement	Added Years	Annual Pension	Lump Sum Payment	Special Severance Gratuity Payments
North Tipperary	30/04/2010	61	Nil	€68,290.50	€204,871.50	€68,290.50
Donegal	07/07/2010	65	Nil	€73,422.50	€220,249.72	Nil
Cork City Council	31/08/2010	63	Nil	€78,983.50	€236,950.50	€78,983.50
Monaghan	30/11/2010	58	1.6658 Years	€68,290.50	€201,735.74	€68,290.50
South Tipperary	28/04/2011	65	Nil	€73,422.50	€220,267.50	Nil
Waterford County	19/09/2011	53	8.3754 Years	€63,335.64	€189,664.16	€66,255.50
Limerick City	28/02/2012	58	8.9945 Years	€73,422.50	€202,541.55	€91,222.50

South Dublin	02/04/2012	62	Nil	€75,899.50	€227,698.50	€75,899.50
Limerick County	08/04/2012	64	Nil	€67,548.70	€202,646.10	€67,548.70
Meath	03/09/2012	59	Nil	€72,664.82	€217,994.45	€72,664.82
Wexford	30/11/2012	64	Nil	€67,548.70	€202,646.10	Nil

Insurance Industry Issues

184. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government the remedy open to a home owner who initiated a claim with a company (details supplied) in relation to pyrite before the ten year warranty expired, the tests revealed pyrite at a borderline level, which required further monitoring, and subsequent to that the ten years were reached and the company closed the file, disclaiming all liability. [32800/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The application of the terms and conditions of the warranty insurance scheme operated by Premier is a private contractual matter between the homeowner and the company concerned. Neither I nor my Department are privy to, nor have any responsibility in, such matters.

The Pyrite Resolution Board (PRB) is currently putting in place an application system for a pyrite remediation scheme for homeowners whose homes are affected by significant pyritic heave and who have no other viable avenue to seek redress to have their homes remediated. The eligibility criteria for the scheme are available on the PRB's website, www.pyriteboard.ie. Affected homeowners will be able to apply to be included in a programme of pyrite remediation when the application system becomes available; the PRB are working towards having the system in place as quickly as possible. It will be a matter for the PRB to determine the admissibility of applicants having regard to the eligibility criteria for the scheme.

Commercial Rates Issues

185. **Deputy John Deasy** asked the Minister for the Environment, Community and Local Government the number of times an order has been made since the enactment of the Valuation Act 2001 requiring a rating authority to exercise its powers to make rates in such a manner that it does not exceed the amount of rates to be paid to it in the first year following a revaluation, except for any increase determined by the consumer price index. [32802/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Local authorities are under a statutory obligation to levy rates on any property used for commercial purposes, in accordance with the details entered in the valuation lists prepared by the independent Commissioner of Valuation under the Valuation Act 2001. The levying and collection of rates are matters for each individual local authority. The annual rate on valuation (ARV), which is applied to the valuation of each property, determined by the Valuation Office, to obtain the amount payable in rates, is decided by the elected members of each local authority in the annual budget and its determination is a reserved function.

The Commissioner of Valuation is conducting a programme of revaluation of all commercial and industrial properties throughout the State on a county by county basis. The purpose of the revaluation process is to provide for more consistent and up-to-date valuations for rating purposes and to assist in providing a more equitable distribution of valuations across those liable to pay rates.

To allay concerns that local authorities might gain a disproportionate increase in rates income in the year following a revaluation, a provision was included in the Valuation Act 2001 to limit the overall amount of income it could raise through rates in the year following a revaluation to the total amount of rates liable to be paid to it in the previous year, plus buoyancy (arising from valuations determined in the year of a revaluation of newly constructed property), adjusted for inflation as measured by the CPI.

Rate limitation orders have been made in each of the local authorities to have undergone a revaluation to date, namely, South Dublin County Council, Fingal County Council and Dún Laoghaire-Rathdown County Council. Orders will be drafted for Dublin City Council, Waterford County Council, Waterford City Council and Dungarvan Town Council by year end to take effect from 1 January 2014.

International Bodies Membership

186. **Deputy Andrew Doyle** asked the Minister for the Environment, Community and Local Government if he will outline each international organisation, international agency or international body of which Ireland is a member and for which his Department or a State body or agency under the aegis of his Department is responsible or co-responsible; and if he will make a statement on the matter. [32809/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The information requested, in respect of international organisations, agencies and bodies of which Ireland is a Member through my Department and /or bodies under its aegis, is set out in the following table.

Table
Council of Europe's European Committee on Local and Regional Democracy
European Environment Agency
OECD environment policy committee and other OECD environment-related groupings as relevant from time to time as the need arises
Climate and Clean Air Coalition
International Carbon Action Partnership and the Renewable Energy and Energy Efficiency Partnership
European Forum for Architectural Policy
UN International Atomic Energy Agency
OECD Nuclear Energy Agency (NEA)
International Thermonuclear Experimental Reactor (ITER)
European Repository Development Organisation (ERDO)
International Commission on Radiological Protection (ICRP)
European Nuclear Safety Regulators Group (ENSREG)
European ALARA Network
European Radiation Protection Authorities Network (ERPAN)
Heads of European Radiological Protection Competent Authorities (HERCA)
Intergovernmental Panel on Climate Change
Concerted Action on Energy Performance of Buildings
Concerted Action on Renewable Energy Sources
EU Standing Committee on Construction

Eurocode National Correspondents
WMO (World Meteorological Organisation)
EUMETSAT (European Organisation for the Exploitation of Meteorological Satellites)
ECMWF (European Centre for Medium-Range Weather Forecasts)
EUMETNET (The European Meteorological Services Network)
Met Alliance (Alliance of Aeronautical Meteorological Service Providers in Europe)
EC-Earth
International Union of Geodesy and Geophysics (IUGG)
ECOMET (European Co-operation in Meteorology)
HIRLAM (High Resolution Limited Area Model)
National Authorities on Public Libraries in Europe Forum
International Federation of Library Associations
Council of European Municipalities & Regions
Union Des Dirigeants Territoriaux De L'Europe (UDITE)
International Life Saving Federation (ILS)
International Life Saving of Europe (ILSE)
International Federation Swimming Teachers Association (IFSTA)
International Maritime Rescue Federation

Local Authority Funding

187. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government if and when further funding in respect of a disabled person's grants will be made available to Kildare County Council; and if he will make a statement on the matter. [32818/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): On 22 February 2013 I announced capital allocations to local authorities under the suite of Grants for Older People and People with a Disability amounting to €42.750 million. This year I allocated local authorities the full amount of their contractual commitments, which in the case of Kildare City Council amounted to €1,723,752. The balance of the available funding was allocated on the basis of each authority's share of the new applications on hand in January 2013. This brought Kildare County Council's overall allocation to €2,025,000.

A small capital reserve was set aside to deal with any acute or particular difficulty which might arise in the operation of the schemes over the course of the year. Following requests from 13 local authorities for supplementary funding, I subsequently approved additional allocations totalling €1.2 million. Through active management of my Department's overall housing budget for 2013, I am now in a position to allocate additional capital funding to the grants measure. All local authorities will benefit from the increased provision and I intend to notify authorities of their increased allocations by the end of the month.

Local Authority Staff Issues

188. **Deputy Brian Walsh** asked the Minister for the Environment, Community and Local Government the number of requests received in the period 1 March 2013 to 30 May 2013 from Galway City Council seeking sanction to fill positions at the local authority, the outcome of

each of these requests, the nature of each of the positions, and the term of the contract in each case where the filling of the position was sanctioned. [32853/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): My Department received 17 staff sanction requests from Galway City Council in the period 01 March 2013 to 30 May 2013. The information in relation to these sanction requests is set out in the table below.

Date of Staffing Request	Title of Post(s)	Number of Post(s)	Type of Contract sought	Outcome	If Approved, Type of Contract Given
03/04/2013	School Warden	1	Permanent	Approved	Permanent
03/04/2013	General Operative	1	Permanent	Pending	N / A
03/04/2013	Craftsman - Painter	1	Permanent	Approved	Permanent
03/04/2013	Education Outreach Officer	1	Permanent	Approved	Permanent
03/04/2013	General Operative	1	Permanent	Pending	N / A
21/05/2013	Staff Officer	1	Permanent	Pending	N / A
21/05/2013	Craft Foreperson	1	Contract	Pending	N / A
21/05/2013	Assistant Staff Officer	1	Permanent	Pending	N / A
21/05/2013	Stage Technician	1	Contract	Appeal	N / A
22/05/2013	Assistant Staff Officer	3	Acting	Pending	N / A
22/05/2013	Staff Officer	2	Acting	Pending	N / A
22/05/2013	Assistant Staff Officer	1	Permanent	Pending	N / A
22/05/2013	Senior Staff Officer	1	Acting	Pending	N / A
30/05/2013	Ganger	1	Permanent	Pending	N / A

Anti-Social Behaviour

189. **Deputy Willie Penrose** asked the Minister for the Environment, Community and Local Government if he will indicate if there are any proposals to strengthen anti-social behaviour provisions whereby persons renting are causing disturbance, annoyance and nuisance to their neighbours in both private and local authority estates; and if he will make a statement on the matter. [32854/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): While action to deal with anti-social behaviour is primarily a matter for An Garda Síochána, there are a range of provisions in housing legislation to counter such activity in the residential sector.

In the case of local authority housing, councils have the power to refuse to allocate, or to refuse to sell, a dwelling to a person engaged in anti-social behaviour and the power to seek a court order excluding such a person from entering a local authority dwelling or estate for a period of up to 3 years. Every housing authority has a statutory duty to adopt and review an anti-social behaviour strategy for the prevention and reduction of anti-social behaviour in its housing stock, which must provide for co-operation with other relevant bodies, notably the Gardaí. Proposals for a new Housing Bill currently being developed in my Department include a revised procedure to replace section 62 of the Housing Act, 1966, which will enable housing authorities to recover possession of their dwellings from households in serious breach of their tenancy agreements, including engaging in anti-social behaviour. I am also examining the scope in the forthcoming Bill for strengthening the excluding order powers of housing authorities.

Insofar as private rented accommodation is concerned, the Residential Tenancies Act 2004 prohibits a tenant in a private residential tenancy from engaging in anti-social behaviour in, or in the vicinity of, a dwelling to which the Act applies and allows a landlord to terminate a tenancy at short notice where the tenant is engaging in, or allowing others to engage in, such behaviour. The 2004 Act also empowers a third party adversely affected by anti-social behaviour to make a complaint to the PRTB against a landlord who has failed to enforce tenant obligations. The Act allows the Board to furnish the name and address of the landlord concerned to a person who proposes to make such a complaint. However, the third party complainant must have taken reasonable steps to resolve the matter by communicating or attempting to communicate with the parties to the tenancy concerned before making the complaint to the Board.

Asylum Applications

190. **Deputy Brendan Griffin** asked the Minister for Justice and Equality the average time it takes to process applications for subsidiary protection; the plans there are in place to improve the waiting times for these applications; and if he will make a statement on the matter. [32612/13]

Minister for Justice and Equality (Deputy Alan Shatter): In relation to the determination of existing and future applications for subsidiary protection, the High Court Judgment in the MM case has had a very significant impact on the ability of the Irish Naturalisation and Immigration Service (INIS) to process such applications. Arising from this Judgment, the INIS, in conjunction with the Offices of the Attorney General, is working on the development of a framework, legislative and administrative, under which such applications will be determined into the future. Once the necessary legislative provisions have been completed, the new arrangements will be put into operation as soon as possible thereafter. This framework will also lay some of the foundations for what is proposed in the Immigration, Residence and Protection Bill, which I hope to re-publish later this year, under which it is envisaged that applications for asylum, subsidiary protection and 'leave to remain' will be dealt with as a single procedure.

The legislative provisions referred to above are being given priority attention. Once the new arrangements are in place, steps will be taken to have all outstanding applications for subsidiary protection processed to completion in a timely manner.

The processing of an application for Subsidiary Protection is often extremely complex requiring detailed consideration of the individual merits of each case. In addition, cases can often be held up for a number of reasons such as legal proceedings. In other instances, for example where applications are made for EU Treaty Rights or under the Zambrano judgement, these applications will often be processed first. In the circumstances, mean waiting times for processing cases would be highly misleading and not reflective of the actual position having regard to the

factors as outlined above which are often outside by Department's direct control.

Sexual Offences

191. **Deputy Dominic Hannigan** asked the Minister for Justice and Equality if he expects legislative action to be taken on the issue of admission of counselling notes in sexual abuse cases within the lifetime of this Government; and if he will make a statement on the matter. [32615/13]

Minister for Justice and Equality (Deputy Alan Shatter): It is my intention that this issue will be addressed in the forthcoming Sexual Offences Bill, which is at an advanced stage of preparation in my Department.

Prison Building Programme

192. **Deputy Ciarán Lynch** asked the Minister for Justice and Equality the improvements that have been implemented since the Committee for the Prevention of Torture which visited Cork Prison in 2010 found visiting conditions at the prison to be wholly unsuitable; and if he will make a statement on the matter. [32617/13]

Minister for Justice and Equality (Deputy Alan Shatter): As the Deputy will be aware, legislation to give development consent for a new prison facility for Cork city was recently approved by this House and is now awaiting consideration by the Seanad. The main purpose of the new prison facility is to replace the substandard prison accommodation in Cork and to provide a modern prison designed on the principles of rehabilitation and resettlement. The visiting arrangements in the new prison will reflect that design philosophy.

I am advised by the Director General of the Irish Prison Service that four small visiting boxes were installed in Cork Prison in 2011. These visiting boxes cater for professional visits as well as general visits to prisoners. In addition, the Irish Prison Service is currently reviewing the visiting facilities across the prison estate to see what measures can be taken to improve the visiting arrangements having regard to operational and security requirements and available resources. I can assure the Deputy that Cork Prison is being given priority in that regard.

Prison Inspections

193. **Deputy Ciarán Lynch** asked the Minister for Justice and Equality in view of the report by the Committee for the Prevention of Torture following its visit to Cork Prison in 2010, if a review of the operation of the segregation unit at Cork Prison has been carried out; if the deficiencies observed by the committee regarding material conditions in D Unit have been rectified; if he will indicate the changes that have been made in this regard; and if he will make a statement on the matter. [32618/13]

Minister for Justice and Equality (Deputy Alan Shatter): As the Deputy is aware, the Committee for the Prevention of Torture (CPT) Report following their visit to Ireland in 2010 made a number of recommendations in relation to the D Unit in Cork Prison.

In relation to the material conditions, the Government's response to the Report in February 2011 confirmed that cleaning products are available and prisoners are expected to keep their cells clean.

As the Deputy will be aware, legislation to give development consent for a new prison facility for Cork city was recently approved by this House and is now awaiting consideration by the Seanad. The main purpose of the new prison facility is to replace the substandard prison accommodation in Cork and to provide a modern prison designed on the principles of rehabilitation and resettlement.

In relation to the other issues raised by the Committee, each prisoner in the D Unit receives between two to four hours exercise in the yard daily and no prisoner exercises alone. I can also advise the Deputy that on revision of the Standard Operational Procedures in the D Unit of Cork Prison, all prisoners can now make orders to the tuck shop, they are allowed access to phone calls and family visits. If any prisoner requests access to education, a teacher will be made available to provide them with assistance, and/or to provide additional educational resources such as books.

Prison Investigations

194. **Deputy Ciarán Lynch** asked the Minister for Justice and Equality in view of the report by the Committee for the Prevention of Torture following its visit to Cork Prison in 2010, if he will indicate if the investigation into the death of a prisoner in the prison in 2010 has been concluded; if the relevant information has been forwarded to the committee; and if he will make a statement on the matter. [32619/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised by the Director General of the Irish Prison Service that the inquest into the death referred to by the Deputy was held by the Cork City Coroner on 25 May 2010. The Court recorded a verdict of death by misadventure, with no recommendation made by the Court. An investigation was undertaken by the Irish Prison Service into this death and has been concluded. Arrangements are currently being finalised to communicate the result of the investigation to the Committee.

Prison Accommodation

195. **Deputy Ciarán Lynch** asked the Minister for Justice and Equality if in view of the report by the Committee for the Prevention of Torture following their visit to Cork Prison in 2010, he will indicate if there has been an increase in the frequency of showers taken by prisoners since 2010; the current average frequency of showers taken by prisoners in each part of the prison; and if he will make a statement on the matter. [32620/13]

Minister for Justice and Equality (Deputy Alan Shatter): I can inform the Deputy that extra showers were installed on A1, A2, and A3 landings (3 shower cubicles in each unit) and that showers are now available in all areas of Cork Prison. Furthermore, the main prison shower area can cater for 10 prisoners at a time and the prison gym also has 6 showers which are open daily.

As the Deputy will be aware, legislation to give development consent for a new prison facility for Cork has been approved by this House and will be considered by the Seanad in the coming days. The main purpose of the new prison facility is to replace the substandard prison accommodation in Cork and the new facility will include shower facilities in each individual cell.

Prison Accommodation

196. **Deputy Ciarán Lynch** asked the Minister for Justice and Equality if in view of the report by the Committee for the Prevention of Torture following their visit to Cork Prison in 2010, he will indicate the number of occasions on which the 7.5 m² cells were used to accommodate more than one prisoner; the number of occasions on which the 9 m² cells were used to accommodate two or more prisoners; and if he will make a statement on the matter. [32621/13]

Minister for Justice and Equality (Deputy Alan Shatter): I wish to advise the Deputy that the collation of the information, as requested, for the time period since 2010 would require a disproportionate and inordinate amount of staff time and effort and could not be justified in current circumstances where there are other significant demands on resources.

I am, however, in a position to advise the Deputy of the position in Cork Prison on 2 July, 2013 which is set out in the following table.

Cell size	Number of cells used for single occupancy	Number of cells with two or more prisoners
7.5m ²	25	59
9m ²	22	20

As the Deputy will be aware, legislation to give development consent for a new prison facility for Cork city has been approved by this House and is now awaiting consideration by the Seanad. The main purpose of the new prison facility is to replace the substandard prison accommodation in Cork and to provide a modern prison designed on the principles of rehabilitation and resettlement.

The investment being made in the development of a new modern prison facility in Cork is a significant commitment by the Government given the current economic pressures being experienced. The new modern prison, including cells which are approximately 12m², and have full in-cell sanitation and showering facilities, will end the practice of slopping out and also provide the infrastructure necessary for the education and rehabilitation of prisoners thus enhancing public safety.

All cells will be fully compliant with the standards for double occupancy as set down by the Inspector of Prisons.

Garda Investigations

197. **Deputy Kevin Humphreys** asked the Minister for Justice and Equality the number of requests for the tapping or interception of conversations on mobile or landline telephones that have been approved in the last year; and if he will make a statement on the matter. [32635/13]

198. **Deputy Kevin Humphreys** asked the Minister for Justice and Equality the regulations or judicial protections that apply to requests for the tapping or interception of conversations on mobile or landline telephones here; if he will outline the procedure that applies for such requests; and if he will make a statement on the matter. [32636/13]

199. **Deputy Kevin Humphreys** asked the Minister for Justice and Equality the number of requests that have been submitted for the interception of communications through a mobile or landline telephone belonging to a journalist or politician that have been submitted in the last year; and if he will make a statement on the matter. [32637/13]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions

Nos. 197 to 199, inclusive, together.

The Deputy will appreciate that it is not the practice and would be contrary to public interest to disclose details of requests or authorisations for interceptions including their number. However, I can assure the Deputy that there is a comprehensive legislative regime in place to deal with lawful interception.

Under Section 2 of the Interception of Postal Packets and Telecommunications Messages (Regulation) Act 1993 Ministerial authorisation may be given for interceptions in the interests of the security of the State or for the purpose of criminal investigation. Such authorisations are only issued following application from the Garda Commissioner or the Chief of Staff of the Defence Forces, in accordance with the Act.

The Act provides for the appointment of a High Court Judge to keep under review the operation of the Act and to ascertain whether its provisions are being complied with. The judge must report to An Taoiseach on the operation of the Act. Such reports are subsequently laid before the Houses of the Oireachtas. In addition, the Act provides for a procedure whereby a member of the public who believes that his/her communications have been intercepted may apply to a "Complaints Referee" for an investigation into the matter. The role of the Complaints Referee is to investigate whether an authorisation was in force and, if so, whether the provisions of the Act have been contravened in relation to that authorisation. If the Complaints Referee finds that there has been a contravention he should notify the individual concerned and report it to An Taoiseach. He may also recommend the payment of compensation. The current Complaints Referee is a judge of the Circuit Court.

Garda Investigations

200. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality if he will confirm that an assertion in an affidavit, the High Court Record No. 2006/1177P, on behalf of the Commissioner of An Garda Síochána, the then Minister for Justice and the Attorney General, that on 19 July 2000 a gun and ammunition, central to the case, were destroyed, is correct. [32655/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that the firearm and ammunition in question were destroyed on the 19th July 2000.

Domestic Violence Policy

201. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality in conjunction with his EU colleagues, the progress made in recent years with regard to tackling incidents of domestic violence within the jurisdiction, with particular reference to the growth in demand for NGOs to provide services to women and children experiencing domestic violence; and if he will make a statement on the matter. [32667/13]

Minister for Justice and Equality (Deputy Alan Shatter): The Deputy may be aware that one of the achievements of the Irish EU Presidency was securing the agreement on an EU Regulation on mutual recognition of protection measures in civil matters. The Regulation provides the legal framework under which a protection order, such as a barring or safety order, obtained by a victim of domestic violence in one EU Member State can be recognised and enforceable in other EU Member States. The measure will enable victims of domestic violence to travel around Europe or to relocate to another EU Member State in safety, without having to go

through additional court processes in other Member States.

Cosc, The National Office for the Prevention of Domestic, Sexual and Gender-based Violence, which is an Executive Office in my Department, is working through the National Strategy on this topic with other Government Departments, state agencies and NGOs to support a “whole of Government” response to these issues.

The Commission for the Support of Victims of Crime provides some funding to NGOs working to provide services to women and children to support their court accompaniment services. Some €450,000 was given to these NGOs in 2011 and 3,147 victims were helped, while in 2012 the Commission provided just over €440,000 and 3,276 victims were helped. This shows a year on year increase of 4% in the number of victims helped.

However, I am informed that in 2012 approximately €16.1m in funding of NGOs working to provide services to women and children experiencing domestic violence was provided by the HSE (Children and Families Service), working under the aegis of the Department of Health. This work is expected to be transferred to the Child and Family Support Agency on its establishment. I understand that the new agency will report directly to my colleague the Minister for Children and Youth Affairs.

Garda Vetting Applications

202. **Deputy Sean Fleming** asked the Minister for Justice and Equality when Garda clearance will be issued to three persons to work for an organisation (details supplied) in County Offaly who are waiting one month for Garda clearance; and if he will make a statement on the matter. [32671/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am awaiting the information sought from the Garda authorities and will communicate with the Deputy as soon as the information is to hand.

Garda Vetting Applications

203. **Deputy Sean Fleming** asked the Minister for Justice and Equality when Garda clearance will be issued to three persons to work for an organisation (details supplied) in County Offaly who are waiting five months for Garda clearance; and if he will make a statement on the matter. [32672/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am awaiting the information sought from the Garda authorities and will communicate with the Deputy as soon as the information is to hand.

Garda Vetting Applications

204. **Deputy Gerald Nash** asked the Minister for Justice and Equality when a decision will be made on an application for Garda vetting in respect of a person (details supplied) in County Louth; and if he will make a statement on the matter. [32675/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that a vetting application on behalf of the individual referred to by the Deputy was

received by the Garda Central Vetting Unit (GCVU) on 27 June 2013. The application is being processed and will be returned to the registered organisation once completed.

Visa Applications

205. **Deputy Charlie McConalogue** asked the Minister for Justice and Equality if an application for a re-entry visa will be expedited in respect of a person (details supplied) in County Donegal; and if he will make a statement on the matter. [32685/13]

206. **Deputy Charlie McConalogue** asked the Minister for Justice and Equality if an application for a re-entry visa will be expedited in respect of a person (details supplied) in County Donegal; and if he will make a statement on the matter. [32686/13]

207. **Deputy Charlie McConalogue** asked the Minister for Justice and Equality if an application for a re-entry visa will be expedited in respect of a person (details supplied) in County Donegal; and if he will make a statement on the matter. [32687/13]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 205 to 207, inclusive, together.

The family in question would appear to have been in this country since 2007, with their children joining them on a D-Join Parent visa. The parents have renewed their residence permission in the meantime but the position of the children was not updated. Applications for re-entry visas were received but were returned on 27 June, 2013, due to a number of outstanding issues. These included not sending in their current Registration Cards and the submission of black and white photographs instead of colour, as required under visa security regulations. Given the long period of time which seems to have elapsed since the residence status was recorded sight was also requested of the passports and birth certificates for the children. It is also necessary to clarify the residence status of the mother and her relationship to all the children. Once the information is supplied and all issues can be clarified satisfactorily, consideration will be given to the re-entry visas.

Garda Investigations

208. **Deputy Marcella Corcoran Kennedy** asked the Minister for Justice and Equality if there is provision whereby An Garda Síochána may release the mobile telephone records of a deceased person to the family; and if he will make a statement on the matter. [32690/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that items of evidence generated during the course of an investigation conducted by An Garda Síochána are considered confidential and are not disclosed in the absence of a court order directing such disclosure.

Naturalisation Applications

209. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if he will indicate the position, notwithstanding his replies to previous parliamentary questions, in the case of a person (details supplied) in County Meath who was previously married to an Irish citizen but may now have entitlement under the Zambrano judgment and whose Irish-born child has been diagnosed with Down's syndrome; and if he will make a statement on the matter. [32703/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised by the Repatriation Division of the Irish Naturalisation and Immigration Service (INIS) that no application based on the principles of the Zambrano Judgment was received from the person concerned.

It will be open to the person concerned to make an application to the Repatriation Section of my Department. Details on the criteria to be met by persons lodging such applications are available from my Department's Website (www.justice.ie).

An application for a certificate of naturalisation was received from the person referred to by the Deputy in March, 2011. The application is being processed with a view to establishing whether the applicant meets the statutory conditions for the granting of naturalisation, such as good character and lawful residence, and will be submitted to me for decision as expeditiously as possible. As well as being a significant event in the life of its recipient, the granting of Irish citizenship through naturalisation as provided for in law is also a major step for the State which confers certain rights and entitlements not only within the State but also at European Union level and it is important that appropriate procedures are in place to preserve the integrity of the process.

Queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

Public Procurement Regulations

210. **Deputy Éamon Ó Cuív** asked the Minister for Justice and Equality the number of projects that were approved for funding by his Department conditional on a bond being produced from a builder; the amount of the default by builders where such bonds were in place; the amount recovered through the use of bonds in such cases; and if he will make a statement on the matter. [32723/13]

Minister for Justice and Equality (Deputy Alan Shatter): I wish to inform the Deputy that it has not been possible to provide the information requested in the time available. I will write to the Deputy on this matter in the near future.

Equality Issues

211. **Deputy Clare Daly** asked the Minister for Justice and Equality his views on the European Commission's progress report on Roma integration, in which Ireland rated particularly poorly in respect of our treatment of Travellers, and whether he will immediately initiate dialogue with the Traveller organisations to ensure that, as a minimum, the EU Roma integration goals with regard to access to education, employment, health care and housing are met. [32799/13]

Minister of State at the Department of Justice and Equality (Deputy Kathleen Lynch): I welcome the European Commission's progress report on Roma Integration which was published on 26th June 2013. This report is currently under consideration in the relevant Government Departments. My Department's role in the Strategy is one of coordination while the development of particular policy and implementation are a matter for my Government colleagues.

From Ireland's perspective, in relation to Roma specifically, it is important to note that the term "Roma", as defined by the Council of Europe, refers to Roma, Sinti, Kale and related groups in Europe, including Travellers and Eastern groups (Dom and Lom), and covers the wide diversity of the groups concerned, including persons who identify themselves as "Gypsies". By this definition, the vast majority of Travellers/Roma in the Irish State are indigenous Irish Travellers.

Ireland's National Traveller/Roma Strategy was developed following a communication from the EU Commission entitled "An EU Framework for National Roma Integration Strategies" (April 2011) which requested that member states would, in proportion to the size of the Roma population living in their territories and taking into account their different starting points, adopt or develop further a comprehensive approach to Roma integration. This document thus includes relevant strategies that already exist in the four crucial areas of education, employment, healthcare and housing. It also mentions initiatives in place in the same areas to assist the Roma community who are citizens of the European Economic Area and are legally resident in the country. It should be noted that Traveller representatives are active participants on National Committees dealing with policy in all four areas mentioned by the Deputy and, in this way, were involved in the development of these policies. The Irish Strategy document is envisaged to be a living document and as time goes on there is nothing to prevent the development and inclusion of new actions in any of the sectors; however the actions in the Strategy are at present generic actions in relation to the population covered rather than Roma-specific.

International Bodies Membership

212. **Deputy Andrew Doyle** asked the Minister for Justice and Equality if he will set out each international organisation, agency or body of which Ireland is a member of and for which his Department, or any State body or agency under the aegis of his Department, is responsible or co-responsible; and if he will make a statement on the matter. [32814/13]

Minister for Justice and Equality (Deputy Alan Shatter): I wish to inform the Deputy that it has not been possible to provide the information requested in the time available. I will write to the Deputy on this matter in the near future.

Naturalisation Applications

213. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current position in regard to the determination of eligibility for naturalisation in the case of persons (details supplied) in County Dublin; and if he will make a statement on the matter. [32841/13]

Minister for Justice and Equality (Deputy Alan Shatter): The first named person concerned has permission to remain in the State until 30th January, 2015. This decision was conveyed to him by letter dated 31st January, 2012.

I am advised by the Citizenship Division of the Irish Naturalisation and Immigration Service (INIS) that no application for a Certificate of Naturalisation has been received from the first named person concerned. However, it will be open to him to apply for a Certificate of Naturalisation when he is in a position to meet the lawful residency criteria applicable to the lodgement of such applications. Details on the criteria to be met by persons lodging such applications are available from the INIS Website (www.inis.gov.ie).

In relation to the case of the second named person concerned, the position is that, arising

from the refusal of her asylum application, and in accordance with the provisions of Section 3 of the Immigration Act 1999 (as amended), she was notified, by letter dated 14th October, 2009, that the then Minister proposed to make a Deportation Order in respect of her. She was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making written representations to the then Minister setting out the reasons why a Deportation Order should not be made against her. In addition, she was notified of her entitlement to apply for subsidiary protection in accordance with the provisions of the European Communities (Eligibility for Protection) Regulations 2006.

The second named person concerned submitted an application for subsidiary protection. When consideration of this application has been completed, she will be notified in writing of the outcome.

In the event that the application for subsidiary protection is refused, the position in the State of the second named person concerned will then be decided by reference to the provisions of Section 3 (6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. All representations submitted will be considered before a final decision is made. Once a decision has been made, this decision, and the consequences of the decision, will be conveyed in writing to the second named person concerned.

The Deputy should note that as the second named person concerned has no current right of residency in the State, she would not be in a position to meet the lawful residency criteria applicable to persons applying to my Department for a Certificate of Naturalisation.

Queries in relation to the status of individual immigration cases may be made directly to the INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

Visa Applications

214. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if and when family reunification will be offered to a person (details supplied) in County Dublin; and if he will make a statement on the matter. [32842/13]

Minister for Justice and Equality (Deputy Alan Shatter): The individual referred to currently has a visa application under consideration. The visa application was received in the Visa Office, Abuja on 2 November 2012. A preliminary assessment of the application has been completed.

Cases of this type are dealt with in chronological order and a comprehensive examination of the application referred to will take place in due course. The actual processing time for dealing with such applications can vary depending on the particular circumstances of each individual case and the type of investigation required. Certain inconsistencies in relation to the application referred to by the Deputy has meant that more enquiries have had to be made than would normally be the case.

Queries in relation to general immigration matters may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using

the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

Naturalisation Applications

215. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current position in regard to determination of eligibility for naturalisation in the case of persons (details supplied) in Dublin 24; and if he will make a statement on the matter. [32843/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised by the Irish Naturalisation and Immigration Service (INIS) that valid applications for a certificate of naturalisation were received from the persons referred to by the Deputy in May, 2012.

The applications are being processed with a view to establishing whether the applicants meet the statutory conditions for the granting of naturalisation, such as good character and lawful residence, and will be submitted to me for decision as expeditiously as possible.

As well as being a significant event in the life of its recipient, the granting of Irish citizenship through naturalisation as provided for in law is also a major step for the State which confers certain rights and entitlements not only within the State but also at European Union level and it is important that appropriate procedures are in place to preserve the integrity of the process.

Queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

Immigration Status

216. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current position in regard to determination of residency status or eligibility for naturalisation in the case of persons (details supplied) in County Meath; and if he will make a statement on the matter. [32844/13]

Minister for Justice and Equality (Deputy Alan Shatter): The persons concerned are a husband and wife who entered the State on separate dates in 2005, as students, and were granted permission to remain until 23rd November, 2006 and 22nd February, 2006 respectively. They have remained in the State without permission since then. Consequently, in accordance with the provisions of Section 3 of the Immigration Act 1999 (as amended), the persons concerned were notified, by separate letters dated 2nd February, 2009, that the then Minister proposed to make deportation orders in respect of them. They were each given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making written representations to the then Minister setting out the reasons why they should not have a Deportation Order made against them. Representations have been submitted on behalf of the persons concerned.

The position in the State of the persons concerned will now be decided by reference to the provisions of Section 3 (6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. All representations submit-

ted will be considered before final decisions are made. Once decisions have been made, these decisions, and the consequences of the decisions, will be conveyed in writing to the persons concerned.

Given that the persons concerned have no current right of residency in the State, they would not, at this time, be in a position to meet the lawful residence criteria applicable to persons wishing to make an application for a Certificate of Naturalisation.

Queries in relation to the status of individual immigration cases may be made directly to the INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

Immigration Status

217. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality notwithstanding his reply to previous parliamentary questions, in the case of a person (details supplied) in Dublin 1, if he will make a statement on the matter. [32845/13]

Minister for Justice and Equality (Deputy Alan Shatter): The person concerned has not submitted any documentary evidence to suggest that the European Court of Justice Judgment in the *Zambrano* case has any relevance to his case. It may be that while his children are Irish born, they are not entitled to claim Irish citizenship. The Deputy will appreciate that, in an Irish context, the *Zambrano* Judgment will only apply to third country national parents of an Irish born minor citizen child or children who are residing in this State with that child or children.

Given that the person concerned has never held a right of residency in the State on work permit or work authorisation conditions, he would not be in a position to meet the criteria applicable to persons applying to my Department for Long Term Residency status.

Queries in relation to the status of individual immigration cases may be made directly to the INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

Residency Permits

218. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current or expected residency status or both in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [32846/13]

Minister for Justice and Equality (Deputy Alan Shatter): The person concerned currently has permission to remain in the State until 9th January, 2014. This decision was conveyed to her by letter dated 28th July, 2011. It will be open to the person concerned to apply for the renewal of that permission one month before it expires.

I am advised by the Citizenship Division of the Irish Naturalisation and Immigration Service (INIS) that no application for a Certificate of Naturalisation has been received from the

person concerned. However, it will be open to the person concerned to apply for a Certificate of Naturalisation when she is in a position to meet the lawful residency criteria applicable to the lodgement of such applications. Details on the criteria to be met by persons lodging such applications are available from the INIS Website (www.inis.gov.ie).

Queries in relation to the status of individual immigration cases may be made directly to the INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

Immigration Status

219. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current position in regard to long-term residency or eligibility for naturalisation in the case of a person (details supplied) in County Cork who has two Irish-born children; and if he will make a statement on the matter. [32847/13]

Minister for Justice and Equality (Deputy Alan Shatter): I refer the Deputy to my detailed Reply to his recent Parliamentary Question, PQ No. 212 of Thursday, 27th June 2013 - copied beneath - in this matter. The position is unchanged since then.

The person concerned is a failed asylum applicant. Arising from the refusal of her asylum application, and in accordance with the provisions of Section 3 of the Immigration Act 1999 (as amended), the person concerned was notified, by letter dated 27th February, 2009, that the then Minister proposed to make a Deportation Order in respect of her. She was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons why a Deportation Order should not be made against her. In addition, she was notified of her entitlement to apply for subsidiary protection in accordance with the provisions of the European Communities (Eligibility for Protection) Regulations 2006.

The person concerned initiated judicial review proceedings in the High Court, challenging the decision of the Refugee Appeals Tribunal in her case. Her judicial review leave application was refused by the High Court on 11th April, 2013 meaning that the earlier decisions of the Refugee Appeals Tribunal and the then Minister stood.

The person concerned has submitted an application for subsidiary protection. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome.

In the event that the application for subsidiary protection is refused, the position in the State of the person concerned will then be decided by reference to the provisions of Section 3 (6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. All representations submitted will be considered before a final decision is made. Once a decision has been made, this decision, and the consequences of the decision, will be conveyed in writing to the person concerned.

Queries in relation to the status of individual immigration cases may be made directly to the INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may

consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

Citizenship Applications

220. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current position in regard to the determination of citizenship application in respect of a person (details supplied) in County Kildare who needs authorisation to travel abroad on 23 August next for family reasons and return here, if the process is likely to be concluded by that time or if alternative travel documentation is necessary; and if he will make a statement on the matter. [32848/13]

Minister for Justice and Equality (Deputy Alan Shatter): I can inform the Deputy that the application has entered the final stage of processing and I intend to grant citizenship. A letter issued to the person referred to by the Deputy asking her to submit the prescribed fee and other documents, which have been received.

The person concerned will be invited in due course to attend the next citizenship ceremony on 27th August 2013, at which she will make a declaration of fidelity to the Irish Nation and loyalty to the State and receive her certificate of naturalisation.

If a non-EEA visa required person wishes to leave the State for a short period of time, they must apply, in advance of making any travel arrangements, for a re-entry visa.

Queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

Naturalisation Applications

221. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current position in regard to determination of eligibility for naturalisation in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [32849/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised by the Irish Naturalisation and Immigration Service (INIS) that a valid application for a certificate of naturalisation was received from the person referred to by the Deputy in November, 2011.

The application is being processed with a view to establishing whether the applicant meets the statutory conditions for the granting of naturalisation, such as good character and lawful residence, and will be submitted to me for decision as expeditiously as possible.

As well as being a significant event in the life of its recipient, the granting of Irish citizenship through naturalisation as provided for in law is also a major step for the State which confers certain rights and entitlements not only within the State but also at European Union level and it is important that appropriate procedures are in place to preserve the integrity of the process.

Queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for

this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

Immigration Status

222. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if he will review the residency entitlements in respect of residency or naturalisation of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [32850/13]

Minister for Justice and Equality (Deputy Alan Shatter): Officials in the Citizenship Division of the Irish Naturalisation and Immigration Service (INIS) inform me that there is no record of an application for a certificate of naturalisation from the persons referred to in the Deputy's Question.

It is open to any individual to lodge an application for citizenship if and when they are in a position to meet the statutory requirements as prescribed in the Irish Nationality and Citizenship Act 1956 as amended.

The first and second named persons referred to by the Deputy currently have permission to remain in the State until 14th August 2013. The permission to remain of the third named person has expired since 13th May 2013. It is a requirement that such immigration permission be kept up to date at all times.

Queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

Deportation Orders Data

223. **Deputy Maureen O'Sullivan** asked the Minister for Justice and Equality in respect of the ten persons who were deported from Ireland to Kinshasa on 16 June, if he will detail the circumstances surrounding his decision to sanction the deportation of the persons in view of the fact that no deportations to the Congo have taken place since mid-2011; if he acknowledges that the risks and dangers facing the persons have not changed since 2011 and in some cases have even worsened; if he will suspend future deportations to the Congo taking into account the increasing instability of the region; and if he will make a statement on the matter. [32857/13]

Minister for Justice and Equality (Deputy Alan Shatter): On 16th June last, 10 failed asylum seekers were deported from Ireland to Kinshasa in the Democratic Republic of Congo (DRC) on a chartered flight which was organised through the EU Frontex network. Belgium, France and Germany also participated in this joint return operation.

In enforcing the law in this respect, Ireland is no different to other countries who also remove individuals who have no lawful right to remain within their territory. Ireland, like other EU member states, uses deportation of illegal immigrants and failed asylum seekers as the policy of last resort. The process leading to a deportation is extensive with many avenues of

appeal, including judicial review in the High Court, open to persons subject to Deportation Orders. It should also be noted that a Deportation Order requires a person to remove themselves from the State and it is only where they fail to do so that the State is forced to remove them and enforce the rule of law.

In determining whether to make a deportation order, I must have regard to the factors set out in Section 3 (6) of the Immigration Act, 1999, as amended, and Section 5 (Prohibition of Refoulement) of the Refugee Act 1996, as amended.

This essentially means that the safety of returning a person, or refoulement as it is commonly referred to, is fully considered in every case when deciding whether or not to make a deportation order i.e. that a person shall not be expelled from the State or returned in any manner whatsoever to a State where the life or freedom of that person would be threatened on account of his or her race, religion, nationality, membership of a particular social group or political opinion. My Department uses extensive country of origin information drawn from different independent sources in evaluating the safety of making returns to third countries, including the Democratic Republic of Congo. The countries that participated in this operation, i.e., Belgium, France and Germany also adhered to this standard in this instance as do all EU Member States for such operations.

Each asylum application received from a citizen of the Democratic Republic of Congo is considered on the basis of the facts, individual circumstances and merits of the case presented and a final decision is reached following a comprehensive examination and investigation of these facts, merits and circumstances taking full account of the political and human rights conditions prevailing in DR Congo and the latest reports of the United Nations High Commission for Refugees.

EU Funding

224. **Deputy Peadar Tóibín** asked the Minister for Justice and Equality his views on a matter (details supplied) regarding European Refugee Fund, ERF, and European Integration Fund, EIF, funding. [32858/13]

Minister for Justice and Equality (Deputy Alan Shatter): The European Refugee Fund and the European Fund for the Integration of Third-Country Nationals operate on the basis of annual programmes submitted by Member States and approved by the Commission. The eligibility period for an annual programme extends for a year and a half after the end of the year in question. So, the eligibility period for the annual programmes up to and including 2011 has ended and it is not possible to allocate unspent monies under those programmes.

Up to and including the 2010 Annual Programme (which is the latest for which final figures have been compiled), over €3.4 million, amounting to 40% of the national allocation, was unspent due to an insufficiency of suitable projects with the required level of matching funding.

My Department intends to have a call for applications under the European Refugee and Integration Funds in the near future with the aim of making payments to successful projects before the end of the year. An issue which arises is how to accommodate the existing Funds with the Asylum and Migration Fund which will replace them. Specifically, the eligibility period for the Asylum and Migration Fund commences on 1 January 2014 and, for the reason outlined above, it will overlap with that of the existing Funds until 30 June 2015. My Department is in contact with the European Commission on this aspect.

While the EU legislation on the Asylum and Migration Fund has yet to be adopted, prepara-

tions for the Fund are under way. My Department is due to undertake a policy or programming dialogue with the European Commission in October on the basis of which a national multiannual programme for expenditure from the Fund will be drawn up. This dialogue is with the Member State and there is no provision for civil society groups to be directly involved. However, the relevant draft Regulation contains an article on partnership with such groups and with other bodies in the preparation etc. of national programmes. The exact terms of this provision are still the subject of negotiation. However, it is my intention that appropriate consultation will take place with such bodies in the preparation of Ireland's programme.

Defence Forces Operations

225. **Deputy Kevin Humphreys** asked the Minister for Defence the number of requests for the tapping or interception of conversations on mobile or landline telephones that have been approved in the past year; and if he will make a statement on the matter. [32646/13]

226. **Deputy Kevin Humphreys** asked the Minister for Defence the regulations or judicial protections that apply to requests for the tapping or interception of conversations on mobile or landline telephones here; if he will outline the procedure that applies for such requests; and if he will make a statement on the matter. [32647/13]

227. **Deputy Kevin Humphreys** asked the Minister for Defence the number of requests submitted for the interception of communications through a mobile or landline telephone belonging to a journalist or politician that have been submitted in the past year; and if he will make a statement on the matter. [32648/13]

Minister for Defence (Deputy Alan Shatter): I propose to take Questions Nos. 225 to 227, inclusive, together.

The Interception of Postal Packets and Telecommunications Messages (Regulation) Act, 1993 and the Criminal Justice (Surveillance) Act 2009 provide for surveillance to be conducted by the Defence Forces in the interests of the security of the State.

The powers provided to the Defence Forces in these Acts are subject to the restrictions and safeguards that are outlined in the legislation, including a system of judicial supervision with reports submitted to An Taoiseach by designated judges appointed by the President of the High Court to review the conduct of the Acts. These Acts also provide that such reports are laid before each House of the Oireachtas.

For security and operational reasons, I am not in a position to provide the details sought of any such surveillance.

Public Procurement Regulations

228. **Deputy Éamon Ó Cuív** asked the Minister for Defence the number of projects that were approved funding by his Department conditional on a bond being produced from a builder; the amount of the default by builders where such bonds were in place; the amount recovered through the use of bonds in such cases; and if he will make a statement on the matter. [32716/13]

Minister for Defence (Deputy Alan Shatter): Under public sector procurement rules, performance bonds are generally sought by my Department for all construction contracts to be placed with a value in excess of €500,000 (including VAT). Also under the procurement rules, my Department may require a performance bond in respect of construction contracts below

the threshold, if it is envisaged that there would be a significant risk if such a bond were not in place.

In recent years, due to decreasing capital budgets, my Department has to a greater extent directed the limited resources available under the building capital programme towards projects valued below the €500k threshold.

In the five year period to end 2012, a total of 17 construction contracts, which exceeded the €500k threshold, were placed by my Department and a performance bond was obtained from the contractor in each instance. In the same five year period, my Department has sought performance bonds in respect of one contract valued below the threshold. As part of the 2013 capital building programme, my Department is in the process of placing further contracts which will also require such bonds to be provided.

No instance of builder default, requiring recovery under a performance bond, has occurred.

International Bodies Membership

229. **Deputy Andrew Doyle** asked the Minister for Defence if he will outline each international organisation, international agency or international body of which Ireland is a member and for which his Department or a State body or agency under the aegis of his Department is responsible or co-responsible; and if he will make a statement on the matter. [32807/13]

Minister for Defence (Deputy Alan Shatter): It has not been possible in the time available to compile all the necessary information requested by the Deputy. The information will be forwarded to the Deputy as soon as possible.

Agri-Environment Options Scheme Payments

230. **Deputy Noel Harrington** asked the Minister for Agriculture, Food and the Marine the position regarding payment of an agri-environment option scheme in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [32625/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named was approved for participation in the 2011 Agri-Environment Options Scheme with effect from the 1st September 2011.

In carrying out the necessary checks required under EU Regulations discrepancies were identified regarding information submitted on the AEOS application form and the farm maps which accompanied the AEOS application. Officials from my Department contacted the Agricultural Advisor of the person named and the response to this query, received on the 20th June 2013, has given rise to two further queries. The Agricultural Advisor of the person named has again been contacted and upon receipt of a satisfactory response the processing of the file will be completed.

Single Payment Scheme Payments

231. **Deputy Dara Calleary** asked the Minister for Agriculture, Food and the Marine if he will provide an update on a single farm payment for 2011 in respect of a person (details supplied) in County Mayo. [32688/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): A 2012 Transfer of Entitlements application form was received on 1st March, 2012 requesting the transfer of 30.47 Single Payment Entitlements from the joint names of the person named and his late brother, to the sole name of the person named.

The application to transfer entitlements was processed on 26 September, 2012 following receipt of requested documentation on 20th September, 2012. Payment in relation to this transfer has issued to the person named.

Following a telephone call to the Inheritance Enquiry Unit, my Department agreed to process the 2012 Transfer of Entitlements application as a 2011 Transfer of Entitlements application to facilitate payment of the 2011 Single Payment to the person named. A letter outlining the 2011 transfer of entitlements issued to the person named on 13 May 2013 and full payment issued on 2 July, 2013.

Single Payment Scheme Eligibility

232. **Deputy Marcella Corcoran Kennedy** asked the Minister for Agriculture, Food and the Marine if a person (details supplied) in County Tipperary may obtain a single farm payment on a section of their land which has been designated as an area of natural heritage; if not, if this land may be reclaimed in order that they can apply for payment; and if he will make a statement on the matter. [32693/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Land is eligible for payment under the Single Payment Scheme when it is used for an agricultural activity. In the case of the parcel in question, the inspection process revealed that the presence of scrub rendered certain parts ineligible for payment.

Issues relating to designation of the land as an area of natural heritage, including reclamation, are a matter for The National Parks and Wildlife Service of the Department of Arts, Heritage and the Gaeltacht.

Coillte Teoranta Harvesting Rights Sale

233. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine the amount of future harvesting rights that have been sold by Coillte in each of the past three years; the total amount of rights that have been sold and the projected dates of maturity and the counties in which the rights have been sold, excluding sales of current standing timber sold to timber processors for harvesting within one year of sale; and if he will make a statement on the matter. [32727/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Coillte Teoranta was established as a private commercial company under the Forestry Act 1988 and the sale by Coillte of future harvesting rights, to which the Deputy refers, is an operational matter for the company. Coillte has, however, advised that no such harvesting rights were sold in the past three years i.e. 2010, 2011 and 2012.

Animal Welfare Issues

234. **Deputy Clare Daly** asked the Minister for Agriculture, Food and the Marine his pro-

posals on foot of the investigation into pig farming by Compassion in World Farming which found the most horrific cruelty and worst breaches of EU law taking place here, with particular reference to the steps he will take to ensure that those responsible are prosecuted and held to account; and if he will ensure that the mistreatment of pigs is stamped out in farming here. [32740/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): My Department treats allegations of animal cruelty with the utmost seriousness and has been in touch with Compassion in World Farming to advise that if the Organisation has evidence of cruelty to animals on Irish farms, it should be forwarded to An Garda Síochána for investigation. Separately my officials are following up on the information received from CIWF and any violations of animal welfare legislation found on Irish pig farms will be dealt with through the appropriate sanctions.

International Bodies Membership

235. **Deputy Andrew Doyle** asked the Minister for Agriculture, Food and the Marine if he will outline each international organisation, international agency or international body of which Ireland is a member and for which his Department or a State body or agency under the aegis of his Department is responsible or co-responsible; and if he will make a statement on the matter. [32803/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): My Department represents Ireland in a number of international organisations, international agencies and international bodies and these can be found listed below.

As to the State Bodies and agencies under this Department's aegis, this would be an operational matter for the bodies or agencies themselves.

Table
Bioversity International / European Co-operative Programme for Plant Genetic Resources (ECPGR)
Codex Alimentarius
Collaborative International Pesticides Analytical Council
English Speaking Pesticides Analytical Council
EUFORGEN
European and Mediterranean Plant Protection Organisation (EPPO)
European Co-Operative Programme for Genetic Resources (Malus-Pyrus Working Group) (ECPGR)
European Forest Institute (EFI)
European Forestry Commission (EFC)
European Mycological Network (EMN)
Food and Agriculture Organization of the United Nations (UNFAO)
FOREST EUROPE (The Ministerial Conference on the Protection of Forests in Europe)
Future Trees Trust
Global Research Alliance on Agricultural Greenhouse Gases
InnovaWood
International Council for the Exploration of the Sea
International Meat Secretariat

International Plant Protection Convention which is a body within the Food and Agricultural Organisation of the United Nations
International Seed Testing Association (ISTA)
International Tropical Timber Organization (ITTO)
International Union for the Protection of New Varieties of Plants (UPOV)
International Working-Group for Feedingstuff Analysis (IAG)
Joint Programming Initiative - Agriculture, Food Security and Climate Change (JPI FACCE)
Joint Programming Initiative – A Healthy Diet for a Healthy Life (JPI HDHL)
Organisation for Economic Co-operation and Development (OECD)
The European Federation of Animal Science (EAAP)
The European Regional Focal Point for Animal Genetic Resources (ERFP)
The Rotterdam Convention
United Nations Economic Commission for Europe (UNECE) [in particular UNECE Committee on Forests and the Forest Industry]
United Nations Food and Agriculture Organisation (FAO)
United Nations World Food Programme (WFP)
World Organisation for Animal Health (OIE)
World Trade Organisation

Aquaculture Licences Applications

236. **Deputy Joanna Tuffy** asked the Minister for Agriculture, Food and the Marine if he will provide an update on the Bord Iascaigh Mhara application for an aquaculture and a foreshore licence for the cultivation of finfish near Inis Oirr in Galway Bay, and the taking on board of concerns expressed about the proposal; and if he will make a statement on the matter. [32855/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application by Bord Iascaigh Mhara (BIM) for an aquaculture licence for the cultivation of finfish near Inis Oirr in Galway Bay was received by my Department last year. The application and its accompanying Environmental Impact Statement are being considered under the provisions of the 1997 Fisheries (Amendment) Act and the 1933 Foreshore Act.

A determination in respect of the application will be made as soon as possible following completion of the necessary assessment process. This assessment process will take full account of all national and EU legislative requirements and will reflect the full engineering, scientific, environmental, legal and public policy aspects of the application.

The fullest consideration will also be given to all submissions received as part of the statutory and public consultation stages of the process.

As the application is under active consideration as part of the statutory process it would not be appropriate for me to comment further at this time.

Youth Services Funding

237. **Deputy Michael Creed** asked the Minister for Children and Youth Affairs if she will outline the level of funding received by an organisation (details supplied) under the youth ser-

vices grants scheme each year since 2008; if in view of the increasing membership to this organisation she will favourably consider their application for funding for 2014; and if she will make a statement on the matter. [32676/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The Youth Affairs Unit of my Department supports the delivery of a range of youth work programmes and services for all young people, including those from disadvantaged communities, by the voluntary youth sector. These schemes include the Youth Service Grant Scheme, the Special Projects for Youth Scheme, the Young People's Facilities and Services Fund Rounds 1 and 2, Local Drug Task Force Projects and certain other provisions including the Local Youth Club Grant Scheme, Youth Information Centres, the European Youth in Action Programme (administered by Léargas – the Exchange Bureau) and Gaisce – the President's Award. Funding of €53.498m has been provided to my Department for the provision of youth services in 2013. This includes funding of €438,457 provided to Macra na Feirme under the Youth Service Grant Scheme for its services to young people in 2013.

As with all Government Departments and Agencies funding for programmes in the Department of Children and Youth Affairs has been reduced in recent years due to the general budgetary situation in which we find ourselves. The savings required in the youth budget under the Comprehensive Review of Expenditure in respect of 2013 amounted to €5.393m which equated to an almost 10% reduction on 2012 funding available for the provision of youth services. The savings required in 2014 in the youth budget under the Comprehensive Review of Expenditure amount to €2.97m. Having regard to the savings requirements identified in the Comprehensive Review of Expenditure my Department has tried to be as equitable as possible in achieving these savings. In considering how best to manage within the reduced budgets available, organisations are being asked to consider the scope for reducing administration costs and overheads, if this is at all possible, in order to maintain the front line youth services for young people. I have met, and continue to meet with, many youth organisations and groups to try and see how we can work together to minimise the impact of these necessary savings in order to ensure that the provision of quality youth services to young people is sustained in these challenging times.

Funding to Macra na Feirme under the Youth Service Grant Scheme 2008 - 2013

Grant Scheme 2008-2013	Funding
2008	€611,311
2009	€572,680
2010	€561,226
2011	€521,043
2012	€487,175
2013	€438,457

Public Procurement Regulations

238. **Deputy Éamon Ó Cuív** asked the Minister for Children and Youth Affairs the number of projects that were approved for funding by her Department conditional on a bond being produced from a builder; the amount of the default by builders where such bonds were in place; the amount recovered through the use of bonds in such cases; and if she will make a statement on the matter. [32714/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): There were no capital project approvals by my Department which required a bond being produced from a builder.

Preschool Services

239. **Deputy Pat Breen** asked the Minister for Children and Youth Affairs the position regarding an application for a person (details supplied) in County Clare; and if she will make a statement on the matter. [32786/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The ECCE programme provides a free preschool year to all eligible children. Approximately 68,000 children are availing of the ECCE programme in the current school year. Children are eligible to avail of the free preschool year where they are aged more than 3 years 2 months and less than 4 years 7 months at 1 September in the relevant year. Children born between 2 February 2009 and 30 June 2010 will qualify for the free preschool year in September 2013 and children born between 2 February 2010 and 30 June 2011 will qualify for the programme in September 2014. Therefore, children born in July 2010 are below the age range for eligibility for the programme in the school year 2013/14, but will qualify in the school year 2014/15. As it is not in the best interests of children to enter the programme early, there is no provision under the programme to enrol children who are below the qualifying age.

The objective of the ECCE programme is to make early learning in a formal setting available to eligible children in the year before they commence primary school. To achieve this, services participating in the preschool year are expected to provide age-appropriate activities and programmes to children within a particular age cohort. For this reason, it is appropriate to set minimum and maximum limits to the age range within which children will qualify.

International Bodies Membership

240. **Deputy Andrew Doyle** asked the Minister for Children and Youth Affairs if she will outline each international organisation, international agency or international body that Ireland is a member of that her Department or a State body or agency under the aegis of her Department is responsible for or co-responsible for; and if she will make a statement on the matter. [32805/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The Department of Children and Youth Affairs (DCYA) operates in a global context and framework, provided primarily through its membership of the United Nations, the European Union and the Council of Europe. International human rights norms ratified by Ireland, in particular the UN Convention on the Rights of the Child and The Hague Convention on Adoption, provide a framework for domestic policy and practice relating to children's rights. For example, the UN Convention on the Rights of the Child spells out the basic human rights to which children everywhere are entitled, including the right to survival, the right to the development of their full physical and mental potential, the right to protection from influences that are harmful to their development, and the right to participation in family, cultural and social life. In order to meet our external obligations a priority activity between 2012 and 2014 is to ensure that arrangements are in place to support the DCYA to meet its external obligations in relation to children and youth.

My Department had a leadership role in progressing the work of the EU in the youth field during Ireland's Presidency of the EU from January to June 2013. My Department chaired the Youth Working Party comprising officials of member states which prepares the work for the meetings of the Council of Ministers. I chaired the meeting of Youth ministers on 16th May, 2013 as part of the Council of Ministers for Education, Youth, Culture and Sport. My Department also hosted two important flagship events, the EU youth Conference which took place in

March in Dublin and an EU Round Table Expert meeting which explored the contribution of youth work to youth employment, this took place in Castletown House on 20th and 21st June, 2013. Other primary international bodies with which the Department of Children and Youth Affairs is linked are: the European Commission, the Council of Europe, Child One Europe and the United Nations Committee on the Rights of the Child.

Youth Services Funding

241. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which she is satisfied regarding the availability of adequate funding for youth support services throughout the country; and if she will make a statement on the matter. [32828/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The Youth Affairs Unit of my Department provides a range of funding schemes, programmes and supports to the youth sector. Funding of some €53.498m is available in 2013 to support the provision of youth services and programmes to young people throughout the country including those from disadvantaged communities. Targeted supports for disadvantaged, marginalised and at risk young people are provided through the Special Projects for Youth Scheme, the Young Peoples Facilities and Services Fund Rounds 1 and 2 and Local Drugs Task Force Projects. These funding schemes support national and local youth work provision to some 400,000 young people and involve approximately 1,400 paid staff and 40,000 volunteers working in youth work services and communities throughout the country.

The savings required under the Comprehensive Review of Expenditure in respect of 2013 amounted to €5.393m which equated to almost a 10% reduction on 2012 funding available for the provision of youth services. Having regard to the savings requirements identified in the Comprehensive Review of Expenditure my Department has tried to ensure that, in the determination process for the allocations, the front line youth services, particularly those for the most vulnerable young people are protected as far as is possible from the impact of any necessary reductions in funding.

My Department has tried to be as equitable as possible in achieving these savings. In considering how best to manage within the reduced budgets available, organisations are being asked to consider the scope for reducing administration costs and overheads, if this is at all possible, in order to maintain the front line youth services for young people. I have met, and continue to meet with, many youth organisations and groups to try and see how we can work together to minimise the impact of these necessary savings in order to ensure that the provision of quality youth services to young people is sustained in these challenging times. A comprehensive Value for Money and Policy Review of youth funding has been commenced in my Department and it is anticipated that the findings of this report will inform the future development of youth programmes and services.

My Department is developing a new youth policy framework for publication later this year. The new youth policy framework will aim to enhance the provision of youth services and activities and it will, inter alia, promote co-ordination between government departments and youth sector organisations with a view to maximising the effectiveness of the State funding available to support services for young people in future years.

Children in Care

242. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs if she

is satisfied regarding the availability of safe and reliable places of custodial care for children or adolescents; and if she will make a statement on the matter. [32829/13]

246. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which her Department has studied the issues emerging in the Children's Courts with a view to a determination as to the means whereby any emerging issues can be addressed in the short and medium term; and if she will make a statement on the matter. [32834/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I propose to take Questions Nos. 242 and 246 together.

I assume that the Deputy is referring to custodial accommodation for persons under the age of 18 years, which corresponds to the definition of a child under the Children Act, 2001. At this time, custodial accommodation for under 18 year olds is provided on the Oberstown campus, Lusk, Co Dublin and in St Patrick's Institution, Dublin 7. The Oberstown campus accommodates boys aged up to 17 years old and girls up to 18 years of age. Accommodation is currently provided for 17 year old boys in St Patrick's Institution, Dublin 7 which comes under the remit of my colleague, the Minister for Justice and Equality. In light of the independent inspections by the Health Information and Quality Authority (HIQA) and the continuing work of the Irish Youth Justice Service (IYJS) and the Oberstown Board of Management, I am confident that the children detention schools do provide safe and reliable accommodation for the detention of young people.

The legal detention capacity of the Oberstown campus comprises 24 male bed spaces in Trinity House School, 8 female bed spaces in Oberstown Girls School, and 20 male bed spaces in Oberstown Boys School. However, only 16 of the certified 24 male bed spaces in Trinity House School are currently available for use due to staffing shortages. The Irish Youth Justice Service, which is based in my Department, is currently in discussions with management and staff on the Oberstown campus on an initiative to reorganise the detention capacity for males and female bed places, in order to meet the increased demand for male bed places from the courts. This is being progressed so as to achieve its earliest possible commencement.

With regard to future accommodation needs, on 2 April 2012 I announced a capital investment package for the National Children Detention Facility project in Oberstown. This project is required in order to give effect to the Programme for Government commitment to end the practice of detaining children in adult prison facilities. I have outlined my commitment to this project on many different occasions and it remains at the top of my agenda. My officials have, in conjunction with the Office of Public Works, completed the design process and secured planning permission for the capital development. The tender process is ongoing at present and this is being overseen by a steering group of officials from my Department and the Office of Public Works. A further announcement on the outcome of the tendering process will be made shortly. The new facilities will increase the capacity on the campus available to the courts from the current maximum capacity of 52 places to 90 places. I am advised that based on recent trends, this should be sufficient to meet the requirements of the courts for children detention places.

Child Support Services

243. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs if she is satisfied regarding the availability of adequate resources to meet all aspects of children's support services deemed to be the responsibility of her Department, the degree to which she has identified any areas most sensitively in need of enhanced service at this time; and if she will make a statement on the matter. [32830/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The responsibilities of my Department encompass a wide range of policy and service activity, both direct and indirect, for children and young people in Ireland. It has a complex mandate, comprised of a number of separate, but interrelated strands including:

- the direct provision of a range of universal and targeted services;
- ensuring high-quality arrangements are in place for focused interventions dealing with child welfare and protection, family support, adoption, school attendance and reducing youth crime;
- the harmonisation of policy and provision across Government and with a wide range of stakeholders to improve outcomes for children, young people and families.

As outlined in my Department's Statement of Strategy, in order to achieve its goals, my Department works in close partnership with other Government departments, statutory agencies and non-governmental organisations on a range of cross-cutting issues in relation to both policy and provision as they relate to children and young people.

In the context of the upcoming budget, funding requirements and how resources should be prioritised and allocated across each area of Government spending are generally considered as part of the annual estimates cycle and budgetary process. It would be inappropriate for me to comment at this time on any future decisions that may be taken by Government on the expenditure allocations for programmes and services falling within the Vote of my Department. However, my objective will be to realise funding allocations that reflect expenditure policy priorities and that sufficient resources are directed towards those areas of greatest impact on children and young people.

The commitment to establish a new Child and Family Support Agency is at the heart of the Government's reform of child and family services. The new Agency will assume responsibility for Children and Family Services, currently provided by the HSE, and the Family Support Agency. It will have a workforce of approximately 4,000 staff, and a combined existing budget of over €590 million. The Agency will be headed by Gordon Jeyes, as the Chief Executive designate, who will be supported by a senior management team. In order to achieve genuine improvements for children and families, the Agency will have a broader focus than child protection. Prevention, early intervention, family support and therapeutic & care interventions are all key to the provision of integrated multidisciplinary services for children and families based on identified need.

It is my intention that the new Agency will address the persistent issues which have been raised regarding the standardisation of services, communication, coordination and sharing of risk assessment, management and treatment for many of the children and families with the most complex needs. At the same time, the Agency will have a role in supporting families - providing less complex, less intrusive and less expensive responses which have a preventive function. The new Child and Family Support Agency and the wider transformation of children's services represents one of the largest, and most ambitious, areas of public sector of reform embarked upon by this Government.

Child and Youth Services

244. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent of any new initiatives she has in mind to address specific areas or deficiencies in respect of children and youth services, if she has identified any particular strategy in this regard; and if

she will make a statement on the matter. [32831/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): My Department has responsibility for a range of policy and service activities, both direct and indirect for children and young people in Ireland. This responsibility includes the provision of a number of services for children and young people and a comprehensive research programme that includes the Growing Up in Ireland Survey and the State of the Nations Children report which provide information to inform policy development to secure improved outcomes for children and young people. Some €439m has been allocated in 2013 to my Department for these services and programmes.

In keeping with these responsibilities for children and young people, my Department is developing a new Children and Young People's Policy Framework which will comprehend the needs and objectives for children and young people throughout their life-course from infancy through to early and middle childhood, adolescence and early adulthood. It will use a model in which the lives of children and young people will be supported by three age-cohort strategies:

National Early Year's Strategy - focusing on the under sixes

National Children's Strategy - focusing on all up to 18 years old

National Youth Strategy - focusing on the age range 10/12 years up to 25 years.

Consultations have taken place with the public and with children and young people themselves and they are ongoing with the National Children's Advisory Committee (NCAC). Consultations with other Government Departments are expected to be completed in the coming months. The intention is to identify common priorities in areas such as health and well being, education, economic security and poverty, parenting and family support, environment, safety, sports and recreation and media, arts and culture.

With regard to funding for youth services, my Department provides a range of funding schemes, programmes and supports to the youth sector. Funding of some €53.498m is available in 2013 to support the provision of youth services and programmes to young people throughout the country including those from disadvantaged communities. Targeted supports for disadvantaged, marginalised and at risk young people are provided through the Special Projects for Youth Scheme, the Young Peoples Facilities and Services Fund Rounds 1 and 2 and Local Drugs Task Force Projects. These funding schemes support national and local youth work provision to some 400,000 young people and involve approximately 1,400 paid staff and 40,000 volunteers working in youth work services and communities throughout the country.

A comprehensive Value for Money and Policy Review of youth funding has been commenced in my Department and it is anticipated that the findings of this report will inform the future development of youth programmes and services. It will also inform the national youth strategy under the Children and Young People's Policy Framework which will, inter alia, promote co-ordination between government departments and youth sector organisations with a view to maximising the effectiveness of the State funding available to support services for young people in future years.

Child Poverty

245. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs if her attention has been drawn to particular instances of youth poverty, the extent to which she and/or her Department may be in a position to address such issues; and if she will make a statement on

the matter. [32833/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): My Department has been given lead responsibility for implementing a new Area-Based Approach to Child Poverty programme during 2013-2016. This initiative was announced as part of Budget 2013 and has a funding allocation this year of €2.5 million. The programme is being co-funded by The Atlantic Philanthropies and is expected to have a total funding allocation of €29.7 million. The new programme reflects the Programme for Government commitment to adopt an area-based approach to child poverty in co-operation with philanthropic partners, drawing upon best international practice and existing services, to break the cycle of child poverty where it is most deeply entrenched and improve the outcomes for children and young people where these are currently significantly poorer than they are for children and young people living elsewhere in the State.

The new programme will build on and continue the work of the Prevention and Early Intervention Programme which has also been implemented by my Department with co-funding from The Atlantic Philanthropies. This earlier programme involved the implementation of a range of evidence based programmes and practices on a pilot basis in three areas of high social and economic disadvantage. The programmes aimed at improving outcomes for children and young people in relation to literacy, speech and language, health and pro-social behaviour as well as supporting improved parenting skills. The programmes are currently being evaluated by national and international experts. The three existing areas of programme interventions, together with at least three additional areas, are expected to participate in the new programme. In addition, it is my intention to broaden the impact of the programme by, where appropriate, beginning the process of mainstreaming as many as possible of the evidence based programmes which have had positive test outcomes and are cost-effective. The establishment of my Department's new Child and Family Agency later this year will be important to this process.

Applications to participate in the programme were invited from interested not for profit consortia earlier this year. The closing date for receipt of applications was 31st May and fifty applications were received. These are currently being reviewed by officials in my Department assisted by members of the cross-Departmental Project Team which is overseeing the process. When completed, I hope to be in a position to announce successful applicants later this year.

Question No. 246 answered with Question No. 242.

Child Abuse Issues

247. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which incidents of child abuse of a physical, mental or sexual nature have been brought to the attention of her Department in each of the past two years to date, the degree to which particular issues have arisen which might require remedial action; and if she will make a statement on the matter. [32835/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): Statutory responsibility for the delivery of child welfare and protection services rests with the HSE, which is the appropriate body to receive all reports of concerns relating to all forms of child abuse. My Department occasionally receives calls from individuals concerned about the safety and well-being of a child. In all such cases my officials provide whatever assistance is required to allow such an individual make a proper referral to the statutory authorities. Such assistance can often include my officials contacting the HSE directly on behalf of a correspondent. It is not possible to quantify the volume of such calls. As regards the Deputy's query in relation to fol-

low up of such referrals, my Department does not receive information in this regard. However, the HSE are always requested to highlight to my Department any cases which may have policy or legislative implications. This is the position for all cases referred to the HSE, not only those which come through my Department.

Mental Health Awareness

248. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which she and her Department has studied the issue of youth depression with particular reference to the identification of early alert and-or subsequent support; and if she will make a statement on the matter. [32836/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The prime responsibility for policy in relation to the treatment and support for young people with depression currently lies with the Department of Health.

The issue of depression in young people is a complex issue requiring inputs from a wide range of stake-holders including young people, parents, schools, the media, youth organisations and the Primary Care and Child and Adolescent Mental Health Services of the Health Service Executive (HSE).

My Department supports the National Youth Health Programme which is in partnership with the HSE and the National Youth Council of Ireland. The programme's aims are to provide a broad-based, flexible health promotion / education support and training service to youth organisations and to all those working with young people in out-of-school settings. Its work programme is informed by the knowledge and experience of the partners involved and most particularly by the Health Promotion Unit of the HSE and by the National Youth Council of Ireland which is the representative body for some 50 youth organisations in Ireland.

This work is achieved through the development of programmes and interventions specifically for and with youth organisations throughout the country and the provision of training and support for workers and volunteers who implement these programmes. It is covered under the Mindout Mental Health Promotion training and resource pack delivered to youth organisations. The training is based on the resource Mindout which was developed by Health Promotion HSE West and NUI Galway. MindOut is a twelve session mental health programme which takes a positive approach to the promotion of emotional and mental health among young people, looking at the ways they cope ranging from personal coping skills to informal networks of support to professional or voluntary support services. Mindout adopts a universal mental health promotion approach which has strong links with the "Support for all" element of the recent guidelines on Mental Health Promotion for Schools published by the HSE, the Department of Education and Skills and the National Office for Suicide Prevention.

The National Youth Health Programme also offers a Specialist Certificate in Youth Health Promotion. This programme is accredited by NUI Galway and adopts a whole organisational approach to health promotion. It focuses on a holistic model of an individual's health and mental health and reinforces youth work as a valuable setting for mental health promotion.

Actions needed to address this issue obviously extend beyond the remit of my Department. The Healthy Ireland policy recently launched by the Dept of Health will be an important vehicle for work in this area. My own Department is currently leading the preparation of the new Children and Young People's Policy Framework and Early Years strategy which will represent a whole of government approach to addressing issues affecting children and young people in-

cluding their well being.

Question No. 249 answered with Question No. 27.

Child Poverty

250. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the degree to which lack of adequate of housing and-or poverty continues to impact most particularly on children and adolescents, the extent to which it is anticipated such issues can be isolated and resolved; and if she will make a statement on the matter. [32838/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): As Minister for Children and Youth Affairs, improving children's outcomes is my primary objective. The development of the Children and Young People's Policy Framework as the overarching framework under which policy and services for children and young people will be developed and implemented in the State, is an important initiative for cross departmental collaboration to secure this objective. Early childhood care and education programmes, in particular those that are aimed at low income families, are priorities to enhance children's opportunities for social and educational development and to support parents undertaking training and participating in employment. The network of 107 family resource centres that are funded by the Family Support Agency, under the remit of my Department have an important role in this regard.

Tackling child poverty is a priority for Government and a goal of the National Action Plan for Social Inclusion 2007- 2016, coordinated by the Department of Social Protection. Children are more likely to be poor if they are living in lone parent households with low labour market participation and dependant on income support. The Departments of Social Protection, Jobs, Enterprise and Innovation and Education and Skills, are working to deliver a range of measures aimed at getting people back to work. My Department is supporting labour activation measures through initiatives such as the School Age Childcare scheme which will provide 6,000 subsidised, after-school places to primary school children of qualifying parents entering employment.

My Department works closely with the Department of Social Protection in a 'whole of Government approach' to tackling poverty in the population and is represented on the Advisory Group on Tax and Social Welfare which is examining issues to do with the interactions of the tax and welfare systems so that they provide good incentives for parents to take up and remain in work and thereby contribute to the reduction of poverty and child poverty, in particular. Following a review of the national social target for poverty reduction, which provides a key reference point for Government policies and offers a tangible benchmark against which to measure social and economic progress, the Government agreed to set a new sub-target for the reduction of child poverty. This is in recognition of the life-long consequences of child poverty and the damaging effects of inter-generational poverty. The sub-target will take account of the importance of income supports, services and parental access to employment. The overriding objective for the Government is to increase employment, promote activation, skills training and education. This will ultimately help to build real and sustainable economic growth and to protect those who are most vulnerable in our society.

The Minister for Housing & Planning, Jan O Sullivan TD recently published a Homelessness Policy Statement which outlines the Government's aim to end long-term homelessness by the end of 2016. The statement emphasises a housing-led approach which is about accessing permanent housing as the primary response to all forms of homelessness. The availability and supply of secure, affordable and adequate housing is essential in ensuring sustainable tenan-

cies and ending long-term homelessness. When publishing the statement Minister O'Sullivan announced a set of indicators which will be used to demonstrate the dynamics of homelessness as it is addressed. These indicators will give a clearer picture of homelessness in Ireland and, in quantifying its on-going extent, will support the bringing forward of realistic and practical solutions. With regard to my own responsibility, my priority, as Minister for Children and Youth Affairs, is to enhance the role of early intervention and support programmes for the most vulnerable children and their families in the context of the new Child and Family Agency.

In addition, my Department has been given lead responsibility for implementing a new Area-Based Approach to Child Poverty programme during 2013-2016. This programme was announced as part of Budget 2013 and has a funding allocation this year of €2.5 million. The programme is being co-funded by The Atlantic Philanthropies and is expected to have a total funding allocation of €29.7 million. The initiative reflects the Programme for Government commitment to adopt an area-based approach to child poverty in co-operation with philanthropic partners, drawing upon best international practice and existing services, to break the cycle of child poverty where it is most deeply entrenched and improve the outcomes for children and young people where these are currently significantly poorer than they are for children and young people living elsewhere in the State.

Youth Services Funding

251. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which she expects to be in a position to offer adequate support funding to the Kildare Youth Services; and if she will make a statement on the matter. [32839/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The Youth Affairs Unit of my Department provides a range of funding schemes, programmes and supports to the youth sector. Funding of some €53.498m is available in 2013 to support the provision of youth services and programmes by the voluntary youth sector to young people throughout the country including those from disadvantaged communities. Targeted supports for disadvantaged, marginalised and at risk young people are provided through the Special Projects for Youth Scheme, the Young Peoples Facilities and Services Fund Rounds 1 and 2 and Local Drugs Task Force Projects.

There are six projects in Co. Kildare under the aegis of Kildare Youth Services funded under the Special Projects for Youth Scheme. Funding is also provided for a Youth Information Centre in Naas.

In 2013 funding of €507,221 is being provided to Kildare Youth Services to support the wide range of services provided for young people including the special projects for young people who may be at risk of early school leaving or substance misuse.

Details of funding currently being provided to youth work projects in Co. Kildare are outlined in the table.

Project	2013
Athy Youth Project	66,841
Naas Youth Project	89,625
Leixlip Youth Project	89,625
Newbridge Youth Project	89,758
Kildare Town Youth Project	77,559

Curragh Youth Project	44,812
Total	458,220
Youth Information Centre, Naas	49,001
Total Funding	507,221

Early Child Care Education Issues

252. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which she and her Department continue to liaise with the Department of Health as per reply to previous Parliamentary Question No. 220 of 20 June 2013 in the context of provision of the early childhood care and education scheme; and if she will make a statement on the matter. [32840/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The Early Childhood Care and Education (ECCE) programme was introduced in January 2010 and provides a free pre-school year to all eligible children.

The programme includes a number of additional provisions to take account of children with special needs. These include an exemption from the upper age limit for qualification under the programme where a child is developmentally delayed and would benefit from starting primary school at a later age. In addition, children with special needs can apply to have the pre-school year split over two years on a pro-rata basis, for example availing of the programme for 2 days a week in the first year and for 3 days a week in the second year. Application for these exemptions must be made prior to the child commencing the programme.

As I outlined previously, there are no further resources available to my Department to provide additional supports for children who need specialist support in the pre-school setting. Responsibility for the provision of any such specialised support is a matter for the Department of Health and the Health Service Executive.

My Department continues to actively work with the Department of Health, specifically the Office of Disability and Mental Health, in the context of building better supports to facilitate the inclusion of children with special needs in mainstream pre-school settings.

Child Care Services Regulation

253. **Deputy Billy Timmins** asked the Minister for Children and Youth Affairs the position in relation to a matter (details supplied) regarding the “Prime Time” programme which gave a shocking insight into the state of child care here and the issues that need to be addressed urgently by the Government; if she will ensure all child care services are affordable and high in quality by providing State subsidies, linked to quality; if she will introduce minimum qualification requirements for all those who work in child care facilities and make sure that happens by putting a training fund behind it; if she will reform the inspection system by ensuring all inspectors are trained and have expertise in what to look for in terms of quality curriculum for young children; if she will impose sanctions on any crèche that breaches regulations to make sure crèches improve on inspection; if she will link public funding to quality for all age groups, not just children in the free preschool year; if she will regulate all child minders; if she will ensure that anyone paid to mind children should be trained, vetted and subject to regulation and inspection; if she will invest properly in the Garda National Vetting Bureau so that vetting can be done quickly for anyone working for children and put proper investment behind the national early years strategy; and if she will make a statement on the matter. [32856/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): Since the broadcast of the Prime Time programme, my Department has received a large volume of correspondence in relation to the events outlined in the programme. I recently announced a number of measures as part of my response to the distressing events highlighted in the programme. As Minister for Children and Youth Affairs, driving the early childhood care and education quality agenda is one of my key objectives. It is my intention to introduce new qualification requirements for the sector starting in September 2014. This will be an important new development as, at present, staff working in childcare services other than under the ECCE programme, are not subject to any requirement in respect of qualifications.

The Early Childhood Care and Education (ECCE) programme introduced the first-ever requirement for minimum qualifications for staff working in the childcare sector. The current requirement under the programme is that the pre-school leader delivering the pre-school provision must hold a qualification in childcare/early education at a minimum of Level 5 on the National Framework of Qualifications of Ireland (NFQ), or an equivalent nationally-recognised qualification or a higher award in the childcare/early education field. A higher capitation rate is payable to services where all of the pre-school leaders hold a bachelor degree in childhood/early education (minimum of Level 7 on the NFQ) and have three years experience working in the sector, and where all of the pre-school assistants hold a relevant major award in childcare/early education at Level 5 on the NFQ.

I have indicated my intention to increase the qualification requirements for all staff working in pre-school services. The minimum requirement of Level 5 for pre-school leaders delivering the pre-school year will be increased to Level 6. In addition, all pre-school assistants, and all other staff caring for children in a pre-school service, will be subject to a minimum requirement of Level 5. This requirement will be effective from September 2014 for new services, and from September 2015 for existing services.

Pre-school services are governed by the Child Care (Pre-School Services) (No 2) Regulations 2006 as provided in the Child Care Act 1991. Under the Regulations the Health Service Executive has responsibility for the inspection of services and the enforcement of the regulations. Inspection is carried out to monitor compliance with the Regulations thereby ensuring the health, safety and welfare of children and the promotion of their development.

As I have outlined in recent weeks, a number of steps are being taken to improve the current inspection system. These include the introduction of National Quality Standards for pre-school services later this year as part of the inspection process. In addition, my Department is working with the Pre-School Inspectorate to develop new protocols on regulatory compliance so that there is greater clarity and consistency of approach as to how inspection reports deal with findings of serious non-compliance vis a vis minor breaches and full compliance. My Department is also undertaking a review of the penalties currently in place for breach of the Child Care (Pre-school) Regulations, as provided for under the Child Care Act 1991. The review will look at increasing the range and severity of the existing penalties including the actions which can be taken by Inspectors without recourse to court prosecution, as is currently the case.

My Department is currently developing a new Children and Young People's Policy Framework which will set out high level goals for both my own and other Departments for the next five years. The Policy Framework is expected to be published later this year and will build on *Our Children - Their Lives*, Ireland's first Children's Strategy which was published in 2000. This is relevant to the Early Years Strategy as the Strategy is one of three, more detailed strategies which will be developed under the Framework.

The Early Years Strategy, which will be Ireland's first ever national strategy for early years,

is under development. It is expected that it will cover a range of issues affecting children in their first years of life such as child health and well-being, parenting and family support, learning and development, play and recreation and early childhood care and education. The Strategy will further recognise the economic imperative and benefits accruing from targeted investment in early years interventions. One of the specific issues of policy which I have identified for consideration in the preparation of the new Strategy is the future role and regulation of the childminding sector.

The results of a public consultation, undertaken as part of the development of the Children and Young People Policy Framework, is currently being analysed and will inform both the Framework and the Early Years Strategy. I expect the Early Years Strategy to be published before the end of the year.

Officials in my Department are continuing to examine the many proposals and suggestions submitted by those concerned by the revelations in the Prime Time broadcast. These contributions will be considered as part of a comprehensive response to the events highlighted in the programme.

Blind Welfare Allowance

254. **Deputy Michael Healy-Rae** asked the Minister for Health the position regarding arrears of blind welfare allowance in respect of a person (details supplied) in County Kerry; when payment will be granted; and if he will make a statement on the matter. [32709/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As the Deputy's question relates to service matters I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

Medical Card Eligibility

255. **Deputy Brendan Griffin** asked the Minister for Health if a medical card will be awarded under EU regulations to a person (details supplied) in County Kerry; and if he will make a statement on the matter. [32622/13]

Minister of State at the Department of Health (Deputy Alex White): Regulation (EC) 883/04 and Implementing Regulation 987/09 provide for the coordination of social security systems, including healthcare, within the EU/EEA and Switzerland, with the aim of ensuring the free movement of persons. This objective of the Regulation is to ensure that persons exercising their right to move and to stay freely within the EU/EEA and Switzerland do not suffer disadvantage.

Medical Cards may be issued to EU\EEA citizens under EU Regulation 883/04 if the person is in receipt of a contributory social insurance payment from one, or more, of the Member States, provided they are not receiving a contributory social insurance payment from the Irish State. EU\EEA citizens who are in receipt of a qualifying payment from another member State should make an application for a Medical Card directly to the HSE. The application should be accompanied, as evidence that they are receiving a qualifying payment, by the relevant EU "S" form issued by the Member State making their payment. The position regarding the UK is that, under a reciprocal agreement, the EU "S" form is not required, however, proof of receipt of a qualifying payment from the UK authorities should be provided with the application to the HSE.

Hospital Consultants Recruitment

256. **Deputy Denis Naughten** asked the Minister for Health the steps that he is taking to reinstate stroke services at Portiuncula Hospital, Ballinasloe, County Galway; when the vacant stroke consultant post in the hospital was advertised; when it is expected that an appointment will be made; if he will outline the interim arrangements to treat patients attending the hospital requiring thrombosis; and if he will make a statement on the matter. [32631/13]

Minister for Health (Deputy James Reilly): In relation to the particular queries raised by the Deputy, as these are service issues, I have asked the Health Service Executive to respond directly to the Deputy in these matters.

Medical Card Numbers

257. **Deputy Niall Collins** asked the Minister for Health if he will provide specific information regarding medical cards (details supplied) in respect of the years 2011 to 2013, inclusive; and if he will make a statement on the matter. [32656/13]

Minister of State at the Department of Health (Deputy Alex White): The information requested by the Deputy is provided in the following table.

-	Medical Cards	CP Visit Cards
2013	1,873,015	128,180
2012	1,787,837	128,929
2011	1,656,276	121,065

Health Services Provision

258. **Deputy Regina Doherty** asked the Minister for Health with regard to Lyme disease, where treatment is available here; and if he will provide a geographical report in tabular form. [32659/13]

Minister for Health (Deputy James Reilly): Since September 2011, Lyme Disease (or Lyme borreliosis) has been statutorily notifiable, as neuroborreliosis, under the Infectious Diseases Regulations.

Lyme disease can be very successfully treated using common antibiotics. These antibiotics are effective at clearing the rash and helping to prevent the development of complications. Antibiotics are generally given for up to three weeks. If complications (particularly neurological) develop, intravenous antibiotics may be considered.

In Ireland, the standard approach to the treatment of Lyme disease is to follow the guidance laid out in the Infectious Diseases Society of America (IDSA) guidelines on the clinical assessment, treatment and prevention of Lyme disease. This is accepted as being the most up to date synthesis of best available evidence on the clinical management of Lyme disease.

A consensus statement on the clinical management of Lyme disease has been issued jointly from the Scientific Advisory Committee of the Health Protection Surveillance Centre, the Infectious Diseases Society of Ireland, the Irish Society of Clinical Microbiologists, the Irish Institute of Clinical Neuroscience and the Irish College of General Practitioners, all of whom support the use of this guidance.

Treatment of Lyme borreliosis is, in general, relatively straightforward, and information is available on the HPSC's website to assist clinicians in the identification of the condition at <http://www.hpsc.ie/hpsc/A-Z/Vectorborne/LymeDisease/>.

In addition, on the HPSC's website, internationally recognised and consensually agreed guidance is available to clinicians to aid clinical decision making (at <http://www.hpsc.ie/hpsc/A-Z/Vectorborne/LymeDisease/Guidance/>).

Health Strategies

259. **Deputy Bernard J. Durkan** asked the Minister for Health if he has studied the budgetary submission submitted to his Department on behalf of the Alzheimer Society of Ireland with particular reference to ensuring cost-effective dementia care in the forthcoming year; and if he will make a statement on the matter. [32663/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Programme for Government contains a commitment to develop a National Alzheimer's and other Dementias' Strategy by 2013 to

- increase awareness
- ensure early diagnosis and intervention and
- ensure development of enhanced community based services.

A significant amount of preparatory work has already been completed. A research review funded by the Atlantic Philanthropies, titled *Creating Excellence in Dementia Care, A Research Review for Ireland's National Dementia Strategy*, was published in January 2012. A public consultation process to inform the development of the Strategy was conducted in 2012 and a report of same published on the Department's website in February 2013. The Alzheimer's Society of Ireland made a submission to this process.

A Working Group, representative of key stakeholders from the Department, the HSE, the medical profession and the community and voluntary sector has been established, meetings of which are on-going. The Alzheimer's Society of Ireland is represented on this Working Group. While the development of the Strategy will have to have due regard to the constraints imposed by the budgetary situation, it is intended that it will be a transformative Strategy. It will have a very practical focus, will be action oriented and will focus on what can be done to make a difference to the lives of people with dementia. It is intended that a draft of the Strategy will be completed by the end of 2013.

Long-Term Illness Scheme Eligibility

260. **Deputy Arthur Spring** asked the Minister for Health the criteria that applied for inclusion of conditions that are covered by the long term illness scheme [32673/13]

Minister of State at the Department of Health (Deputy Alex White): The Long Term Illness (LTI) Scheme is a non-means tested scheme introduced in 1971. It provides free medicines and medical or surgical appliances to people with specified conditions. The LTI Scheme arose from a non-statutory scheme, established in 1967, for the free supply of certain products for the treatment of diabetes to persons who did not hold a medical card under the Health Act 1947. The Scheme was also intended to assist those without medical cards who had regular large drug

bills from particular conditions.

The scheme was established under Section 59(3) of the Health Act, 1970, which has been amended and now reads as follows - *“The Health Service Executive may make arrangements for the supply without charge of drugs, medicines or medical and surgical appliances, for the time being on the Reimbursement List within the meaning of section 2(1) of the Health (Pricing and Supply of Medical Goods) Act 2013, to persons suffering from a prescribed disease or disability of a permanent or long-term nature.”* Regulations were made in 1971, 1973 and 1975 specifying the conditions covered by the Scheme. There are no plans to extend the list of conditions covered by the Scheme. The LTI Scheme predates the introduction of the Drug Payment Scheme (DPS), under which no individual or family currently pays more than €144 per calendar month towards the cost of approved prescribed medicines. The DPS significantly reduces the cost burden for families and individuals incurring ongoing expenditure on medicines.

Health Services Staff Issues

261. **Deputy Finian McGrath** asked the Minister for Health if he will support State recognition for qualified art psychotherapists in 2013. [32678/13]

Minister for Health (Deputy James Reilly): I understand that the deputy is referring in his question to creative arts therapists. The Health and Social Care Professionals Council (the Council) and the 12 registration boards to be established under the Health and Social Care Professionals Act 2005 are responsible for protecting the public by promoting high standards of professional conduct and professional education, training and competence among the registrants of the following 12 health and social care professions designated under the Act: clinical biochemists, dietitians, medical scientists, occupational therapists, orthoptists, physiotherapists, podiatrists, psychologists, radiographers, social care workers, social workers and speech and language therapists. In time, and in accordance with the provisions of the 2005 Act, only registrants will be entitled to use these titles.

The first registration board to be established, the Social Workers Registration Board, was established in August 2010, and the associated Social Workers Register opened for receipt and processing of applications on 31st May, 2011. A second registration board, the Radiographers Registration Board, was established on 16th December, 2011 and its register is expected to be established shortly. Three further registration boards, the Dietitians Registration Board, the Occupational Therapists Registration Board, and the Speech and Language Therapists Registration Board have been established with effect from 1st November 2012. It is proposed to establish the Physiotherapists Registration Board shortly and expressions of interest from interested parties are currently being examined with a view to filling vacancies on the soon to be established Board.

All the registration boards and their registers for the remaining designated professions should be established by 2015.

While the legislation empowers the Minister for Health to include, if he considers it appropriate and in the public interest to do so, additional health and social care professions in the regulatory system over time, and under specific criteria, I have no plans at present to regulate creative arts therapists. The question of regulating further health and social care professionals may be reviewed post 2015 in the context of progress made at that juncture.

The issue of recognition of creative arts therapies in the public health services, the need for such services and the direct employment of creative arts therapists are matters for the Health

Service Executive in the first instance.

Education and Training Provision

262. **Deputy Finian McGrath** asked the Minister for Health if he will support a person (details supplied) in Dublin 3 [32679/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): Although the 2013 allocation for disability services has been reduced by 1.2%, the Health Service Executive (HSE) National Service Plan includes an additional €4m to provide training places and day services for school-leavers and Rehabilitative / Lifeskills Training (RT) graduates in 2013. This funding is being allocated to each HSE Region based on its percentage of population. Both the voluntary sector and the HSE are committed to the best use of the funding in a creative and flexible manner so as to secure as many places as possible for this cohort.

The demand for services for school-leavers continues to grow. The HSE expects that approximately 700 young people who have finished their education or life-skills training will require services in 2013. Providing the level of services required within the additional funding provided will continue to be a challenge. Work in this area will be progressed largely in line with the HSE guidance document developed in 2012, which led to the successful placement of 99% of RT graduates and 96% of school leavers last year.

Information on the final numbers of young people who require training places or day supports is being collated and plans to meet their requirements finalised. Final figures are expected from the HSE shortly, but are likely to exceed last year's total of 700. As soon as plans are completed and approved, a communication process will be agreed with service providers to inform families of the services that will be available from September 2013.

In respect of the specific question asked by the Deputy, as it relates to service matters I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

Hospital Waiting Lists

263. **Deputy Pearse Doherty** asked the Minister for Health if his attention has been drawn to the delays in outpatient waiting lists at Letterkenny General Hospital; if his further attention has been drawn to the delays in a number of departments where significant numbers of patients are waiting in excess of one year; the actions he will take to reduce the waiting lists; and if he will make a statement on the matter. [32682/13]

268. **Deputy Pearse Doherty** asked the Minister for Health if his attention has been drawn to the delays in outpatient waiting lists at Letterkenny General Hospital; if his attention has been further drawn to the delays in a number of departments where significant numbers of patients are waiting in excess of one year: his plans to reduce the waiting lists; and if he will make a statement on the matter. [32746/13]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 263 and 268 together.

Improving access to outpatient services is a key priority for the Government. Collaborating with individual hospitals, the SDU, together with the National Treatment Purchase Fund (NTPF) and the HSE, has developed the outpatient waiting list minimum dataset. This allows

data to be submitted to the NTPF from hospitals on a weekly basis and, for the first time, outpatient data is available on www.ntpf.ie. For 2013, a maximum waiting time target has been set of 12 months for a first time consultant-led outpatient appointment and this is reflected in the HSE service plan. The SDU and the NTPF will work closely with hospitals towards achievement of the maximum waiting time.

In relation to the particular queries raised by the Deputy, as these are service issues, I have asked the Health Service Executive to respond directly to the Deputy in these matters.

Vaccination Programme

264. **Deputy Arthur Spring** asked the Minister for Health if the new vaccine for meningitis B, called Bexsero, will be introduced into the childhood immunisation schedule as it has recently been licensed by the European Commission; and the timeframe expected for its introduction [32683/13]

265. **Deputy Róisín Shortall** asked the Minister for Health his plans, if any, for the introduction of the new vaccine into the childhood immunisation schedule that protects against meningitis B disease which was recently licensed by the European Commission; and if he will make a statement on the matter. [32692/13]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 264 and 265 together.

The immunisation programme in Ireland is based on the advice of the National Immunisation Advisory Committee (NIAC). NIAC is a committee of the Royal College of Physicians of Ireland comprising of experts in a number of specialties including infectious diseases, paediatrics and public health. The committee's recommendations are informed by public health advice, international best practice and by the National Centre for Pharmacoeconomics (NCPE).

A Health Technology Assessment which includes a cost benefit analysis is carried out prior to any new vaccine being considered. This has a vital role in ensuring that care technologies, including vaccines, are used in a manner appropriate to their ability to maximise health gain and achieve value for money.

Should NIAC advice recommend the inclusion of a new vaccine into the primary childhood immunisation programme in Ireland, my Department, in association with the Health Service Executive's National Immunisation Office will examine the issue.

Hospital Waiting Lists

266. **Deputy Bernard J. Durkan** asked the Minister for Health if and when the necessary treatment will be offered to a person (details supplied) in County Kildare; and if he will make a statement on the matter. [32702/13]

Minister for Health (Deputy James Reilly): The National Waiting List Management Policy, *A standardised approach to managing scheduled care treatment for in-patient, day case and planned procedures, January 2013*, has been developed to ensure that all administrative, managerial and clinical staff follow an agreed national minimum standard for the management and administration of waiting lists for scheduled care. This policy, which has been adopted by the HSE, sets out the processes that hospitals are to implement to manage waiting lists.

In relation to this particular query raised by the Deputy, I have asked the Health Service Executive to investigate the situation and respond directly to the Deputy in this matter.

Public Procurement Regulations

267. **Deputy Éamon Ó Cuív** asked the Minister for Health the number of projects that were approved for funding by his Department conditional on a bond being produced from a builder; the amount of the default by builders where such bonds were in place; the amount recovered through the use of bonds in such cases; and if he will make a statement on the matter. [32721/13]

Minister for Health (Deputy James Reilly): An insurance bond is an important condition and best practice in any construction contract. The purpose of an insurance bond is to ensure that a construction project can be delivered to the satisfaction of the contracting authority in the event that the contractor is not in a position to complete the project. As all parties to the bond are bound by its conditions, all have its legal protections.

Currently there is a commitment by the Health Research Board (HRB), an agency which is directly funded by my Department, to part fund one project which would require a insurance bond. The HRB will not be a party to the contract. This project will deliver a Clinical Research Facility to be constructed on the Galway University Hospital campus.

As your question is more appropriate to the Health Service Executive which is responsible for the delivery of health care infrastructure, it has been referred to the Executive for direct reply.

Question No. 268 answered with Question No. 263.

Air Ambulance Service Provision

269. **Deputy Joe McHugh** asked the Minister for Health if he will update Dáil Éireann on the proposal to establish co-operation between Northern Ireland and the Republic of Ireland in the provision of an air ambulance service; and if he will make a statement on the matter. [32790/13]

Minister for Health (Deputy James Reilly): In 2011, a number of approaches were made to my department to establish, at state cost or with state assistance, a helicopter ambulance service in the west of Ireland. Given the lack of emergency aeromedical support (EAS) data in an Irish context and the funding implications, it was decided to run a pilot project using existing state resources. The purpose was to determine the level and type, if any, of dedicated EAS service needed, particularly in light of the requirements of HSE clinical care programmes such as Acute Coronary Syndrome and Stroke. The review of the pilot EAS service has been completed and is being examined. Both immediate and longer term issues will be considered in the course of this examination, including, as I have stated on a number of occasions, the possibility of an all-Ireland service.

Medicinal Products Expenditure

270. **Deputy Clare Daly** asked the Minister for Health the amount the State spends on statins each year; the reason generic statins are 2,600% cheaper in Spain; and his plans to re-

duce the cost here. [32795/13]

Minister of State at the Department of Health (Deputy Alex White): Data from the HSE Primary Care Reimbursement Service Statistical Report for 2011 indicates that statins cost approximately €104 million (excluding dispensing fees and mark-up) across the Community Drugs Schemes (GMS, DPS and LTI) in 2011. This represents a 40% reduction from the corresponding figure of approximately €146 million in 2008 and reflects the ongoing impact of cost containment measures implemented in recent years.

Preliminary figures indicate a further reduction, of approximately 3%, in expenditure on statins for 2012. Further reductions are anticipated for 2013 due to all statins now being off patent and the impact of additional price reductions associated with agreements reached with the pharmaceutical industry in late 2012.

While the recently published ESRI report *Pharmaceutical Prices, Prescribing Practices and Usage of Generics in a Comparative Context*, finds that prices for originator in-patent and generic medicines are higher in Ireland compared to other EU Member States, the ongoing programme of reforms introduced by the State to reduce pharmaceutical prices and expenditure will have a significant impact on the cost of medicines in this country. Price reductions of the order of 30% per item reimbursed have been achieved between 2009 and 2013 and the average cost per reimbursed item is now running at 2001/2002 levels.

The HSE's Medicines Management Programme has recently, for the first time, identified 'preferred drugs' for prescribers when prescribing Proton Pump Inhibitors (PPIs) or statin medication for patients. The preferred PPI is Lansoprazole and the preferred statin is Simvastatin. The HSE is asking doctors to prescribe these preferred drugs in order to save money, both for patients who pay for their medication and to deliver savings of an estimated €15 million for the taxpayer.

The Health (Pricing and Supply of Medical Goods) Act 2013, which came into operation on the 24th of June, will further promote price competition, a greater use of generics and deliver lower medicine prices for the taxpayer and for patient. Under the Act, the Irish Medicines Board (IMB) is responsible for the assessment for interchangeability of medicines. My Department requested the IMB to prioritise the assessment of medicines which are of the greatest cost and a list of 20 such medicines has been prepared. Atorvastatin products are the first on the list for assessment and it is anticipated that the first List of Interchangeable Medicines containing groups of atorvastatin products will be published in mid-August. At that stage prices of atorvastatin products will fall by 20% as provided for under the current agreement with generic manufacturers. The HSE will then set a reference price for each group of products resulting in further price reductions for atorvastatin products. It is anticipated that the first reference price will be implemented by November 2013.

I am confident that these reforms will result in generic prices in Ireland moving towards European norms over the next year.

Statins are one of the most cost-effective drug therapies available and the value for money associated with these drugs will be even greater due to the ongoing price reductions.

Medicinal Products Expenditure

271. **Deputy Clare Daly** asked the Minister for Health to rank by price the amount the State spends, or subsidises by tax relief on prescribed medication and or prescription refunds, on the top ten prescribed drugs. [32796/13]

Minister of State at the Department of Health (Deputy Alex White): The following table shows the top ten drugs by total cost in the General Medical Services (GMS) Scheme, the Drug Payment Scheme (DPS) and the Long Term Illness (LTI) Scheme (these data are provisional for 2012).

Top Ten Drugs by Total Cost 2012

Scheme	Order	Name
GMS	1	Atorvastatin
	2	Clinical Nutritional Products
	3	Pregabalin
	4	Salmeterol and other drugs for obstructive airway diseases
	5	Esomeprazole
	6	Diagnostic Products
	7	Olanzapine
	8	Rosuvastatin
	9	Lansoprazole
	10	Acetylsalicylic Acid-Aspirin (Antithrombotic)
DPS	1	Atorvastatin
	2	Pregabalin
	3	Salmeterol and other drugs for obstructive airway diseases
	4	Esomeprazole
	5	Rosuvastatin
	6	Formoterol and other drugs for obstructive airway diseases
	7	Clinical Nutritional Products
	8	Ostomy Requisites
	9	Mesalazine
	10	Montelukast
LTI	1	Diagnostic Products
	2	Insulin Aspart, Fast Acting
	3	Needles/Syringes/Lancets
	4	Atorvastatin
	5	Clinical Nutritional Products
	6	Insulin Glargine, Long Acting
	7	Liraglutide
	8	Insulin Detemir, Long Acting
	9	Lamotrigine

Scheme	Order	Name
	10	Levetiracetam

The issue of tax relief on prescribed medication and/or prescription refunds is a matter for my colleague, Mr Michael Noonan, T.D., Minister for Finance.

International Bodies Membership

272. **Deputy Andrew Doyle** asked the Minister for Health if he will outline each international organisation, international agency or international body of which Ireland is a member and for which his Department or a State body or agency under the aegis of his Department is responsible or co-responsible; and if he will make a statement on the matter. [32812/13]

Minister for Health (Deputy James Reilly): The information requested by the Deputy is currently being collated and will be forwarded to him as soon as it is available.

Medical Card Applications

273. **Deputy Bernard J. Durkan** asked the Minister for Health if and when a medical card will issue in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [32819/13]

Minister of State at the Department of Health (Deputy Alex White): The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible.

The Health Service Executive operates the General Medical Services scheme, which includes medical cards and GP visit cards, under the Health Act 1970, as amended. It has established a dedicated contact service for members of the Oireachtas specifically for queries relating to medical cards and GP visit cards, which the Deputy may wish to use for an earlier response. Contact information has recently reissued to Oireachtas members.

Female Genital Mutilation

274. **Deputy Bernard J. Durkan** asked the Minister for Health the position in regard to female circumcision in this jurisdiction; the extent to which both parents are required to give consent; and if he will make a statement on the matter. [32820/13]

Minister for Health (Deputy James Reilly): I wish to inform the Deputy that the Criminal Justice (Female Genital Mutilation) Act 2011 was signed by the President in April 2011 and commenced on 20th September 2012. The Act explicitly prohibits Female Genital Mutilation along with related offences, which include removing a girl from the State for the purpose of FGM. A defence of custom or ritual in proceedings is not permitted; neither is a defence that the girl/woman or her parents/guardian consented to FGM. Punishment is up to 14 years imprisonment and/or a fine; for a summary conviction, the penalty is a fine of up to €5,000 and/or imprisonment for up to 12 months or both.

Services for People with Disabilities

275. **Deputy Michael Healy-Rae** asked the Minister for Health his views regarding a mat-

ter relating to persons with disabilities (details supplied); and if he will make a statement on the matter. [32859/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): One of the key commitments in the Programme for Government in relation to children and adults with disabilities is to put the National Standards for Residential Services for People with Disabilities on a statutory footing and ensure that the services are inspected by the Health Information and Quality Authority (HIQA). The standards outline what is expected of a provider of services and what a person with a disability, his or her family, and the public can expect to receive from residential care services. They seek to ensure that vulnerable people with disabilities in residential services are safeguarded and protected, and their quality of life is enhanced.

While the proposal suggested by the voluntary group referred to by the Deputy was appreciated, it was also acknowledged by the Group that the ‘proposal was offered only as a temporary/interim solution until such time as the longer term goal of a permanent inspectorate to inspect residential settings for people with disabilities is put in place on a statutory basis’. As I have already mentioned, the Government is committed to put the standards on a statutory footing, and ensuring that a regulatory system which will allow for a robust registration and inspection of Residential Centres is commenced.

The National Standards were formally launched on 14th May, 2013 and work is progressing in the Department on the regulations required to bring the standards into law. These are being developed taking into account the lessons learned from similar regulations for nursing homes. It is anticipated that the new registration and inspection regime will commence on the 1st September this year.

It is also important to point out that while the HIQA standards have yet to be put on a statutory footing, it is worth noting that compliance with these standards is already included in the Service Level Arrangements between HSE and service providers in the disability sector.

Public Procurement Regulations

276. **Deputy Éamon Ó Cuív** asked the Minister for Transport, Tourism and Sport the number of projects that were approved for funding by his Department conditional on a bond being produced from a builder; the amount of the default by builders where such bonds were in place; the amount recovered through the use of bonds in such cases; and if he will make a statement on the matter. [32726/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): This issue does not arise for my Department. While it is the channel of funding for various capital programmes, it does not enter into contractual arrangements with builders in relation to specific projects funded through these programmes. Responsibility for contractual arrangements of this nature is an operational matter for those agencies charged with implementing capital programmes. I have referred the Deputy’s question to those agencies for direct reply. Please advise my private office if you do not receive a reply within ten working days.

Local Improvements Scheme

277. **Deputy Éamon Ó Cuív** asked the Minister for Transport, Tourism and Sport the amount of money allocated to the LIS scheme in each of the past ten years; if he intends allocating any funds to this scheme this year or next; and if he will make a statement on the matter.

[32728/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Details of allocations under the Local Improvements Scheme are outlined in the regional and local road allocation booklets available in the Dáil Library.

No separate allocation is being provided this year under the Local Improvements Scheme, instead local authorities may use up to 7% of their Discretionary Grant towards works on non-public roads under this scheme should they wish to do so. I will announce details of funding allocations for 2014 early that year.

State Properties

278. **Deputy Éamon Ó Cuív** asked the Minister for Transport, Tourism and Sport the steps he is taking to ensure CIÉ and Iarnród Éireann preserve full ownership of all their land on the disused section of the Limerick to Tralee railway in view of the claims of some local landowners to rights on part of this land; and if he will make a statement on the matter. [32733/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): This is an operational matter for CIÉ and I have forwarded the Deputy's question to the company for direct reply. Please advise my private office if you do not receive a reply within ten working days.

International Bodies Membership

279. **Deputy Andrew Doyle** asked the Minister for Transport, Tourism and Sport if he will outline each international organisation, international agency or international body of which Ireland is a member and for which his Department or a State body or agency under the aegis of his Department is responsible or co-responsible; and if he will make a statement on the matter. [32817/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): While my Department is a member of numerous international bodies, it is not responsible for or co-responsible for any such organisations.

Air Services Provision

280. **Deputy Andrew Doyle** asked the Minister for Transport, Tourism and Sport if it has been brought to his attention that no direct flight exists between Ireland and Silicon Valley or San Francisco in California; if he believes such a direct air link would provide an employment boost to the Irish economy in terms of foreign direct investment given Silicon Valley is a central hub for worldwide technology companies; the discussions he and his Department officials have held with multi-national employers or airlines on this matter in the past two years; if he believes such a route would be hugely beneficial for Ireland given the pre-cleared for US customs and immigration at Dublin Airport; and if he will make a statement on the matter. [32852/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The Ireland-US air services market is fully liberalised and decisions regarding new services are a commercial matter for the airlines. However, improving Ireland's connectivity is a key aspect of national aviation policy and this policy is promoted in contacts with industry.

4 July 2013

On 3 July Aer Lingus announced that it will commence direct services from Dublin to San Francisco in early 2014. A direct Air Service to the West Coast of the US is identified as a key point in the Government's Action Plan for Jobs and I welcome the fact that this need is being fulfilled.

The importance of this route is demonstrated by the fact that over 40% of Ireland's total foreign direct investment comes from Silicon Valley alone. This new service provided by Aer Lingus will help to sustain this investment and help attract further investment in the future.